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ABSTRACT

This second volume of a three-volume report presents research conducted in the former New Castle County (Delaware) School District to discover whether the overrepresentation of minority students in special education and lower academic groupings that occurred from 1979 to 1982 resulted from discriminatory practices or not. (The district was reorganized as four separate districts in 1981.) In 1981-82 researchers reviewed district policies and procedures and collected data through interviews, reviews of records, onsite observations, and a questionnaire survey of students, administrators, teachers, parents, and community representatives. Variables analyzed included students' race, school, school district, and educational level. Data analysis using frequencies, correlations, and content analysis indicates that most student placements fell within legal requirements and district and federal guidelines, and that no overt institutional bias was evident. Problems were noted, however, in grouping and tracking policies and practices, remedial programs, special education program administration and curriculum, and community support and communication. Ten appendices provide further data and copies of the questionnaires and of relevant published articles. (Author/RW)

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A STUDY OF ISSUES RELATED TO DISCIPLINE, GROUPING AND TRACKING,
AND SPECIAL EDUCATION IN NEW CASTLE COUNTY, DELAWARE,
DESEGREGATION AREA

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VOLUME II

GROUPING and TRACKING
AND
SPECIAL EDUCATION STUDY

March 1982

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Volume II

ABILITY GROUPING AND TRACKING AND SPECIAL EDUCATION*

INTRODUCTION

The study of grouping/tracking and of Special Education issues in the former New Castle County School District (NCCSD) was conducted between September 1981 and February 1982. The former NCCSD currently is four separate school districts: Brandywine, Red Clay, Colonial and Christina. Data were obtained from district records, district manuals, interviews, and questionnaire responses.

A team of five persons spent several weeks in various schools of the four districts (Table 13, page 34 of Volume I identifies the schools visited). They interviewed students, parents, teachers, administrators, other school personnel, and community representatives. They analyzed data based on environment in classes, enrollment by school and in each of the four districts made available at the Data Service Center. They spent time in individual homes, community centers, and other places where pertinent data concerning the schools could be collected.

For this section of the study there were 340 respondents who provided data either through interviews or by completing one of the inventories. A summary distribution is shown in Table 1.

*Introductory comments and general remarks from Volume I, Discipline are pertinent to this volume. See especially pages i-x and 1-2.

Table 1: Summary Distribution of Respondents

	<u>Interviews</u>				<u>Inventory</u>				<u>Total</u>	
	<u>Spec. Ed.</u>		<u>Grouping</u>		<u>Spec. Ed.</u>		<u>Grouping</u>			
	N	%	N	%	N	%	N	%	N	%
White (W)	52	68	50	68	78	84	76	78	256	75
Minority (M)	25	32	23	32	15	16	21	22	84	25
Total	77		73		93		97		340	

Very few of the minority respondents were other than Black. For reporting purposes, all Minority respondents were grouped into a category "Minority" or (M). Volume I, page 64, contains more information about this grouping.

SUMMARY OF ANALYSIS PROCEDURES

Data were categorized and classified. Content analysis was used with interview data. Questions from the Inventories were presented on an item-by-item basis. The means, medians, and the combined median were computed on individual items by using the Statistical Package for the Social Sciences (SPSS, Nie, 1975) subprogram FREQUENCIES: one-way frequency distributions with descriptive statistics. The Chi-square nonparametric test of statistical significance for independent samples was run using data organized with the CROSSTABS subprogram. The Median Test was applied to the cross-tabulated data which was transformed to above and below the median frequencies for Whites and Minorities using the combined median of both groups as the midpoint. The SPSS subprogram NPAR (nonparametric tests) was applied and Chi-square and adjusted Chi-square coefficients were determined. Significance was determined by a Median Test using one degree of freedom. The Median Test analyzes the percent of each group that respond above and below the

overall median of all groups. The basic structure for the analysis is:

Table 2: Median Test Structure

	Percent above the median	Percent below the median	Median: Total
White			
Minority			
Total			

Ability Grouping and Tracking Study*

INTRODUCTION

This portion of the study deals with grouping and tracking, policies, and procedures in the four school districts that make-up New Castle County Delaware Desegregation Area. The four districts, Brandywine, Red Clay, Christina, and Colonial prior to September 1981 were the Area I-IV districts of the now defunct New Castle County School District (NCCSD).

A Grouping and Tracking Inventory (see Appendix GT-A) was used to gather quantitative data. A Grouping and Tracking Interview Guide was used when interviewing persons about ability grouping policies administered in individual schools and districts and to obtain qualitative data (see Appendix GT-B). District policies and data from the Data Service Center were also used in preparing this study.

The report is divided into three parts: first, grouping policies for two of the four districts are outlined; second, Inventory data were analyzed on a question-by-question basis, and third, Interview data were analyzed on a item-by-item basis. The schools and interviewees, however, are not identified to protect anonymity.

The analysis of data and the selected comments by interviewees are followed by conclusions and recommendations. Recommendations include brief descriptions of ability grouping and tracking published practices that are considered applicable to the situation in the NCCSD area.

Ability Grouping and Tracking have long been educational issues. Part of the process or methodology used to determine the group or level to which the

*Introductory remarks (pp. i-x and 1-6) of Volume I are generally applicable to this study.

school assigned a student are standardized test scores. The courts have been reluctant to interfere in this methodology except when a constitutional right is affected by board policy or practice. They have been more consistent in their decisions when racial or ethnic discrimination was involved in testing students. Cases involving testing have been limited because many focused on allegations denying equal education opportunity (e.g., Hobson v. Hansen).

A 1979 Memorandum from the New Castle County School District Instructional Services Division provided the groundwork for grouping and tracking guidelines. The "Guidelines . . ." originated in the Research, Evaluation, and Planning Division and provided a sound rationale for these practices (March 28, 1979).

A December, 1977 Phi Delta Kappan (see Appendix GT-D) article by Paul Tractenberg and Elaine Jacoby carefully outlines the role group IQ test scores can or cannot play when assigning students to tracks. The Hobson v. Hansen opinion, "remains the most thorough judicial investigation of the use of standardized tests to assign students to tracks." Students in Washington, D.C., were placed in different curriculum "levels" according to the school's assessment of each child's ability to learn. Based on a reading readiness score, a student was placed in an honors, general, or basic (special academic) track. In short, with this system the court found, "that opportunities provided to children assigned to the lower tracks were 'decided inferior' to those for students in the upper tracks." It goes on to say, "those being consigned to the lower tracks are the poor and the Negroes, whereas the upper tracks are the provinces of the more affluent and the Whites." The tracking system was ordered abolished and considered illegal.

Authors of a 1978 Phi Delta Kappan article (B.J. Wilson and D.W. Schmits, "What's New in Ability Grouping?" Phi Delta Kappan 1978. p. 535-6) point out that 66% of the respondents to their survey were not familiar with ability

grouping research. It is, therefore, not surprising that when confronted with a tracking question the concept needed to be discussed first.

Teachers, administrators, and other professional school personnel in the four districts are all careful to point out, when asked if there is a tracking plan in their school, that there is not. Many of the schools have a structure that could be pointed out as tracking but when asked, all respondents say that (1) a student can request to be moved, (2) parents can request that a student be moved, or (3) the school staff can recommend moving a student to another level. The levels are defined as high, honors, middle, average, low, remedial, and then a level defined as Special Education. Teachers and administrators also point out that a student could be in a high level math track and in a lower level English track when they really mean the student is in a different ability group for math and science (See Table GT 1, Grouping Guidelines).

When asked the question on a recent published questionnaire about tracking: "students are placed in academic groups (e.g., college preparation, vocational, Special Education, general) in which they stay throughout their school tenure," the results were recorded as "not true." Results from the four districts combined showed Minorities (N=21) had a mean ($\bar{x}$) response of 1.7 on a 0-5 scale and Whites (N=76) had a mean ($\bar{x}$) response of 1.4 on the same 0-5 scale.

The traditional idea of vocational, general, and college preparatory tracks does not exist in the four districts. It must, however, be pointed out that labeling a student as "low ability" can provide a stereotyped image and create a track of low ability students, who without careful testing, interpretation of grades, and unbiased evaluation based on discipline, cooperation, and attitude could again resemble a track. Research shows that expectations of a student's ability and productivity encourage the student to work up to or beyond that level. In other words, if teachers expect a student to do poorly, the student will probably do poorly.

Grouping Guidelines

Table GT-1

Brandywine School District

Revised: July 1, 1981

These are guidelines operational in the New Castle County School District for the 1980-81 school year. It is important that we adhere to these guidelines since monitoring by the courts is still in effect.

1. Home Room assignments are to be heterogeneous.
2. Instructional grouping is acceptable and may be used PROVIDING IT DOES NOT PRODUCE RACIALLY IDENTIFIABLE CLASSES THAT HAVE NO EDUCATIONAL JUSTIFICATION.
3. Racially identifiable instructional groups are acceptable only when there is an educational justification for the group. Examples: (1) The isolated instruction is actually making a difference in student progress which is measurable. (2) Criteria and instruments used for selection must be applicable to all students in the grade or level. (3) Teachers should be specially trained to handle the remediation (Example: reading specialists). (4) Remediation must be above and beyond the regular classroom instruction and NOT BE A WATERED DOWN VERSION OF THE REGULAR CURRICULUM.
4. Instructional groupings should reflect the racial ratios of your school population, or class/grade level when the range of the class/grade levels is quite different. An acceptable range is usually considered to be plus or minus ten percent of the school or class/grade level population.
5. Elective and advanced levels of skilled courses, such as calculus and foreign languages, are considered as exceptions to the racial identifiability of instructional groups. Where such classes exist, evidence must be available, however, to show that positive counseling was used to encourage minority and non-minority students to accept the challenge of the more difficult courses. The records of the counselor should indicate that minority students were given the opportunity to enroll in the advanced courses but refused to accept the option.

Christina School District (Area III)

Revised: February 26, 1980

1. Homeroom assignments are to be heterogeneous.
2. Instructional grouping may be used PROVIDING IT DOES NOT PRODUCE CLASSES THAT ARE RACIALLY IDENTIFIABLE.
3. Grouping within a class, regardless of the composition of the internal group, is acceptable.
5. Any instructional grouping not conforming to item #2 must be justified. Ex. — (1) Remediation is actually making a difference in student progress which is measurable. (2) Criteria for selection must be applicable to all students in the grade or group. (3) Teacher should be specially trained to handle the remediation (reading specialist). (4) Remediation must be above and beyond the regular classroom instruction and NOT BE A WATERED DOWN VERSION OF THE REGULAR CURRICULUM.
4. Instructional groupings must reflect the racial proportions of your school population or class, if level is quite different. (10% flexibility. Ex. - If school population is 80-20, it could be 90-10 or 70-30, or any range in between.)

Table GT-1 (cont'd)

6. Grouping as a result of test scores must be based on an instrument specifically designed to measure that skill. Example: Reading tests are not considered to be a satisfactory instrument for placing students in Mathematics. CAT and/or Criteria Referenced Testing scores may be used as one of several predictors of success. Placement should not be limited to test results. Teacher recommendations and past performance among other areas should be used to predict the possibility for success. When the prediction to succeed is in doubt, it is recommended that students (minority or non-minority) be given an opportunity to move into the more advanced program.
6. Grouping for reading and math may be formed only upon the results shown by the C.A.T. or a criterion reference test as long as classes do not end up racially identifiable or out of balance.
7. Entry and exit into any group may not be done unless ALL students in the group have received the same test. (Ex. -- If there are three instructional sub-groups within a class, you may not move a student from any sub-group until all students within that sub-group have been tested by the same instrument.)
8. If possible, all classes should be balanced from a male-female point of view.
9. All remediation classes should include a prescriptive design that meets the individual needs of the students enrolled.
10. It is recommended that the resource teacher conduct the remediation within the regular classroom setting, where feasible.
11. A student may be sent to a reading or math label for remediation with the identified criteria. (See items #5 and #6.)
12. In determining racial criteria, students participating in the bilingual program are to be excluded because the court order granted the exception.

There were 97 respondents to the Grouping and Tracking Inventory across the four New Castle County Desegregation Area Districts (see Table GT 2). The alternative responses, "not true" = 0 to "true" = 5 (a Likert-type scale), were averaged with a mean response ($\bar{x}$) recorded for each of the fourteen questions. The means were reported for total and for each of the four districts. Table GT 2 contains mean responses and number of respondents (N).

Following Table GT 2, each of the fourteen questions concerned with grouping and tracking is discussed based on Minority* and White responses. The mean response ($\bar{x}$) is reported in text as either Minority or White (e.g., Minority = 4.2). If a specific school district is discussed it will be mentioned.

*Minority includes Black, Hispanic, and Others. The reasons for clustering minorities is explained in Volume I: Discipline, page 64.

Responses to Inventory Items

Question 1. Some classes (i.e., math, English) in the school are racially segregated.

Minority respondents felt more strongly (mean response = 1.9) that some classes are racially segregated than did Whites (1.0). Although neither Minorities nor Whites felt very strongly that classes are racially segregated, Minorities felt there was enough reason to believe that some classes are, in fact, segregated. The question specifically mentioned classes in math and English. Since students are traditionally subjected to ability grouping in these areas, this may be part of the reasons for thinking classes are segregated. Note, however, that a mean of 1.9 is not an emotionally strong response on a scale of 0 to 5 (i.e., it is below the midpoint). (see Table GT-2, Means)

A Median Test applied to the data showed that a higher ratio of Minorities were above the combined median than were Whites. Minorities tend to believe that some classes are more racially segregated than do Whites ($\chi^2 = 3.58$, $df = 1$, $p < .10$, two-tailed).*

A significance level of .10 is reported here because of the nature of the question, and the Chi-square coefficient was very close to being significant at the .05 level using corrected Chi-square data. One purpose of this study is to gather data to be used by the State officials and the four school districts to alleviate some of the problems that accompany a desegregation court order. However, since the Minority group felt that classes were segregated, at a ninety percent better than chance level, this issue should receive some attention.

*"... if we are trying to uncover a possible difference with the idea of subjecting it to further confirmatory exploration, it might be desirable to set the value of α at .10 or perhaps .20 (Minium, 1978, p. 271)."

*"Other significance levels occasionally used by researchers are .001, .025 and .10 (Huck et al., 1974, p. 42)."

Table GT-2
Grouping and Tracking Inventory
Means, Medians, and Combined Medians

Item	Minorities		Whites		Combined Median
	Mean	Median	Mean	Median	
1.	1.9	1.7	1.1	0.4	1.0
2.	3.0	3.2	4.0	4.3	3.8
3.	3.6	4.1	3.9	4.3	4.1
4.	2.9	2.9	2.7	2.9	2.9
5.	4.2	4.5	4.2	4.5	4.5
6.	1.2	0.6	0.2	0.1	0.3
7.	4.2	4.5	4.3	4.7	4.6
8.	4.1	4.1	4.4	4.7	4.4
9.	1.1	0.3	1.0	0.2	0.2
10.	2.9	2.9	3.9	4.1	3.5
11.	3.2	3.3	2.2	2.3	2.8
12.	1.7	1.3	1.4	0.7	1.0
13.	1.9	1.8	2.8	3.2	2.5
14.	3.4	3.9	4.2	4.3	4.1

Question 2. Ability grouping is a positive practice in the local schools.

Overall, the Minority respondents were leaning toward "true" (3.0) in answer to ability grouping, being a positive practice. Whites thought the statement to be more "true" (4.0). Although the general responses were positive, there were between-group differences.

The application of the Median Test to the responses showed a disproportionate number of Minorities (57.1%) below the combined median while only 21.1% of the Whites were below the median. Minority respondents felt that ability grouping was not as positive a concept as did Whites. There was a significant difference between the two groups ($\chi^2 = 8.48$, $df = 1$, $p < .01$, two-tailed).

Question 3. Each school district has established policies and procedures for assigning students to academic classes and learning groups.

There is very little difference between Minorities (3.6) and Whites (3.9) and their feeling about the procedures for assigning students to ability groups. When the Median Test was applied to the responses, both groups, Minorities and Whites, were fairly equally distributed above and below the combined median. This distribution describes the data as not being significantly different ($\chi^2 = .29$, $df = 1$). Both groups believe that such policies and procedures exist.

At the beginning of the Grouping and Tracking section Brandywine and Christina Guidelines for Grouping are compared item-by-item. Also, a Memorandum for the Research, Evaluation, and Planning Division, dated March 29, 1979, is referenced. The memorandum contains grouping recommendations from Morris, James, Hitchens, and Williams, attorneys for the Plaintiffs. These recommendations constitute a sound rationale for developing grouping guidelines for each of the four districts (Thompson, 1979).

Question 4. Specially trained teachers work with remedial students in the regular classroom.

There was little discrepancy between Minority and White respondents on this issue (2.5 vs. 2.7). Interviewees in most schools felt that remedial

subjects were taught by specially trained teachers. They also spoke highly of remedial efforts and the only complaint voiced was there were not enough remedial teachers. Remedial teachers are needed, especially in the reading area to work with those students in the low ability groups as well as with those who have severe reading problems. There are students between the lower ability group and Special Education who would benefit from more remedial work.

The Median Test showed no significant difference between Minority and White respondents who were generally positive in stating that specially trained teachers taught remedial courses. Those responding both above and below the combined median were extremely close; Minorities 42.9% below and 51.1% above the median, and Whites 43.1% below and 56.9 above ($\chi^2 = .00$, $df = 1$).

Question 5. Remedial help is available to students in lower ability groups.

Both Minorities and Whites feel very positive about the remedial help which is available to students in lower ability groups. (Minority = 4.2 and White = 4.2). The Median Test confirmed the similarity of response. Minorities and Whites responded equally above and below the combined median resulting in no significant difference between the groups ($\chi^2 = .00$, $df = 1$).

Question 6. Socioeconomic level is a criterion used for placing students in certain classes or learning groups.

Both Minorities (1.2) and Whites (0.2) felt that socioeconomic background was not a criterion for grouping students. The guidelines carefully indicate the criteria bases for grouping decisions, and socioeconomic background is not a criterion. However, dress, home location, and free lunch programs are criteria indicative of socioeconomic background which teachers could use when making decisions about students. A low score here is a positive response.

The Median Test, when applied to the response data on this question, resulted in disproportionate frequencies below the combined median, Minorities =

47.6% and Whites 90.4%. Minorities, while leaning toward the "not true" end of the scale, as did Whites, feel significantly different, however, about the socioeconomic factor entering into decisions concerning ability grouping ($\chi^2 = 16.62$, $df = 1$, $p < .01$, two-tailed).

Question 7. The school district has special programs for students that need remedial help in basic subjects.

Both the total Minority mean response (4.2) and total White (4.3) indicate a feeling of agreement that remedial help in basic skills is available to those who need it. There is very little discrepancy on this issue.

The Median Test when applied to the data also showed very little difference in the number of Minority and White respondents above and below the combined median. There was no significant difference between the two groups ($\chi^2 = .09$, $df = 1$).

Question 8. Present grouping practices (for classes and learning groups) are intended to help all students from low-ability to gifted students and from low-socioeconomic to affluent students.

There was also very little disagreement on this topic concerning overall grouping practices (Minority 4.1, White 4.4). The 5.0 indicates the most positive feeling about grouping being intended to help students, regardless of intelligence or socioeconomic background.

There are differences between this question and question 2 which asks about grouping being a positive practice. Question 8 responses are higher than those of question 2. Might this suggest that the purposes and intentions are viewed as good, but that some believe that programs are not implemented as well as they might be?

Although Minority and White mean responses are both close to the "true" end of the scale, the Median Test shows a large difference between Minorities and Whites responding below and above the combined median. A high percentage

of Minorities (71.4%) scored below the median and only 35.1% of the Whites were in the same category. The difference between the two groups was significant ($\chi^2 = 7.37$, $df = 1$, $p < .01$, two-tailed).

Question 9. There are educationally sound reasons to racially separate students in classes or learning groups.

The responses of Minority and White respondents overall is very close (1.1 vs. 1.0) indicating both feel there are very few, if any, reasons to separate students racially. The second guideline for grouping practices in the Brandywine District states:

2. Instructional grouping is acceptable and may be used PROVIDING IT DOES NOT PRODUCE RACIALLY IDENTIFIABLE CLASSES THAT HAVE NO EDUCATIONAL JUSTIFICATION.

and also, the second policy item in Christina's Grouping guidelines says:

2. Instructional grouping may be used PROVIDING IT DOES NOT PRODUCE CLASSES THAT ARE RACIALLY IDENTIFIABLE.

Both deal directly with this topic of racially identifiable classes.

The court has given permission to segregate students racially (i.e., Hispanics) in the bilingual program (see Christina revised Grouping Guidelines item 12., February 26, 1980. Note the exception.)

12. In determining racial criteria, students participating in the bilingual program are to be excluded because the court order granted the exception.

This action is due, however, to a very specific educational objective and did not appear to be understood as a racial issue. The Median Test produced a Chi-square coefficient that shows the groups are not significantly different ($\chi^2 = .00$, $df = 1$). Mean scores: Minority (1.7); White (1.4).

Question 10. The research on the effectiveness of ability groups supports grouping as an educational strategy.

Group responses to question eight (intentions of grouping practices)

were very similar and positive; responses on grouping as a positive activity (question 2) were less positive and showed more divergence. The issue generates varied responses in question 10. Whites saw the question as true (3.9); Minority responses were more neutral (2.9). Minority responses are on the average one point on the scale lower than those of Whites which indicates they feel that the effectiveness of ability grouping is less than ideal. Several factors may contribute to this skepticism. They may have had bad experiences with ability grouping and they don't like or believe in the concept. They may not have faith in the process, procedures, or personnel that determine in which ability group they are placed. They may be unfamiliar with the concepts that provide a rationale for ability grouping or they may feel the Minority student population does not fare well under ability grouping conditions. Regardless of the reason or reasons, Minority respondents have reacted to the ability grouping idea with a response significantly different from that of White respondents. When the Median Test is applied to the response data, the number of Minority respondents below the combined median is 70.6% while White respondents had only 34.3% below the median. When computed, these percentages had enough variance to show a significant difference ($\chi^2 = 5.91$, $df = 1$, $p < .05$, two-tailed).

Question 11. Students in low ability groups seem discouraged with school work.

Minority respondents had a mean of 3.2 on the scale and Whites a mean of 2.2. While Whites are close to the mid-point of the scale or neutral concerning low ability students being discouraged, Minority respondents thought the statement to be closer to the "true" end of the scale. Minority respondents feel that low ability students are discouraged with

their school work. Indeed, more Minority students are in the lower ability classes.

Low ability labeling carries a negative connotation with many students. Instead of perpetuating this label it is hoped the lower ability groups would receive special attention, good instructional materials, and a reinforced motivation to learn so school isn't discouraging; and abilities improve*.

The Median Test applied to the ratio of responses showed that the number of Minorities above the Median score was higher on a percentage basis than was the number of Whites. The adjusted Chi-square coefficient produced by the Median Test showed a significant difference between the two groups ($\chi^2 = 5.92$, $df = 1$, $p < .05$).

Question 12. Students are placed in academic groups (e.g., college preparation, vocational, special education, general) in which they stay throughout their school tenure.

Both Minorities and Whites agreed that this statement was not true -- or at least tended toward the "not true" end of the scale. Minority mean response was 1.7 and White mean response 1.4. All educators told the study team that "tracking" is not a practice in their district or school. Tracking is defined as placing a student in an academic or ability level group (e.g., vocational, college preparatory, honors, or general) and leaving the person there for their school tenure. All teachers and administrators will quickly point out that the student or their parents have the right to request changes in ability level placements. Also, students should be in different levels for different subjects (i.e., they could be in a high level math class and an average level reading group). The law prohibits the use of a single

*See also the section on Suspensions and Failure in Volume I, p. 28.

standardized test for inclusion of a student into a track such as college preparatory or vocational (Hobson v. Hansen, 269 F. Supp. 401 D.C. 1967).

The closeness of the response means was corroborated by the results of the Median Test. The Minority responses were very close on a percentage basis to the Whites (57.1% vs. 60.3%) for those responding below the combined median score. Both Minority and White groups think that students are not placed in a track and left there throughout their school life ($\chi^2 = .00$, $df = 1$).

Question 13. Placing pupils into homogeneous groups on the basis of test scores (mastery tests or standardized tests) is fairly accurate?

Responses to this question are similar to those dealing with ability tracking (question 12). Homogeneous groups is one form of ability grouping. Minority respondents have reacted negatively to some aspects of ability grouping; they believe research does not support grouping (10), and they think low ability students are discouraged with school work (11). Their responses to Question 13 are the same. They believe that mastery or standardized tests are not an accurate way to group students. Minorities reacted with a mean response of 1.9 on the scale 0-5. Whites responded more positively with a mean of 2.8. Although the Median Test did not show a significant difference between the groups at $\alpha = .05$, differences were significant at .10, a level less usually reported in research. The consistency of the respondents' reactions to certain issues (1, 10, 11, 13, 14), and the nature of the study give reason to consider the results of the statistics ($\chi^2 = 3.39$, $df = 1$, $p < .10$, two-tailed).

Law does not allow the practice of tracking students based on a single standardized test score and grouping guidelines outline more criteria than one score as a basis for grouping.

Question 14. Do you feel from your experience that grouping children for instruction on the basis of abilities is instructionally effective?

The responses to this question all tended toward the true end of the scale. Both Minorities and Whites think there is some relevance to grouping students on basis of ability for instructional purposes. Minority mean response was 3.4 and White mean response, 4.2. Although positive, Minorities thought the statement to be less true than Whites. The results of the Median Test supported the differences. A great portion of Minority respondents (90.5%) fell below the median while a small percentage (57.9%) of Whites were below the median. Although both groups think that ability grouping for instruction is effective, Minority respondents are significantly less convinced of it than Whites ($\chi^2 = 6.31$, $df = 1$, $p < .05$, two tailed).

Discussion of Responses to Grouping/Tracking Inventory

There were generally positive responses to items 2-5, 7, 8 and 12, and there were few differences between the White and Minority groups. Minority concerns were evident in the responses to items 1, 6, 10, 11, 13, and 14. The between-group similarity in responses to item 9 indicates that neither the White nor the Minority group expect (or will tolerate) racial segregation brought about by grouping.

Both groups believe that grouping is a positive practice, but Whites believe this more strongly than minority groups. Both groups, to a high degree, believe that there are grouping policies and procedures, and that these are known and used. Both groups, to very similar degrees, believe that remedial help is available to students in lower ability groups and that special teachers work with remedial students in regular classrooms (Questions 4 and 7).

Although neither group believes that S.E.S. is used as a criterion for student placement (note the low, or "not true," response to the minority group perceives that this does sometimes happen (Question 6). The low and similar scores of both groups to Question 9 show that there is little confidence in the explanation that classes are racially identifiable because of educationally sound reasons for grouping. A contrast is apparent between Questions 8 and 9. Question 8 indicates that respondents agree that grouping practices should help students, but Question 9 responses indicate that there are no educationally sound reasons that grouping should cause racial separation.

The "not true" response to Question 12 indicates that few people (White or Minority) perceive that tracking, as such, is used in the school systems. This is in accordance with Court decisions and with good practice.

Grouping and Tracking Interviews

Personal interviews were conducted with school personnel in the four school districts. As before, the purpose was to determine grouping and tracking practices throughout the districts. Schools and personnel are not being evaluated or studied so they will keep their anonymity. Appendix A contains a copy of the Grouping and Tracking Inventory and the Ability Grouping and Tracking interview guide.

The following comments are organized by schools because the data from personal interviews were collected in that manner. Where specific programs, problems, or ideas relate to a school that could be identified -- facts are changed to protect the school, but not to change the practice being charged as a problem or labeled a good one (see Table GT 3).

Many formats are followed in the four individual districts. Only two of the examples will be depicted. One high school has the following grouping scheme for ninth grade:

	college preparatory
9th grade	general
	poor/low level

Efforts are underway to change this to two levels: college preparatory and general. Sophomores, juniors and seniors are assigned to a four level grouping plan based on academic ability in individual subjects, not in a track

	honors
10th, 11th, and 12th grades	college preparatory
	general
	poor/low level

Grouping and Tracking

Personal Interviews

Position/Race

Table GT-3

	All Districts		Brandywine		Red Clay		Christina		Colonial	
	Black	White	Black	White	Black	White	Black	White	Black	White
Students	4	3	2	0	0	0	2	3	0	0
Teachers	7	27	3	12	1	3	1	8	2	4
Administrators	4	6	2	2	0	3	1	0	1	1
Parents	2	2	0	1	0	1	2	0	0	0
*Others	6	12	2	2	2	4	1	2	1	4
Total	23	50	9	17	3	11	7	13	4	9

* Other School Personnel:
Guidance Counselors,
Home/School Liaison,
Community Relations

All personnel are careful to point out that students and parents can request a change, and teachers can recommend a change in level. All students can be in different levels for different courses.

A junior high school has a different grouping system. Based on sex, race, and academic ability students are placed in large groups which are assigned to a team of four teachers: social studies, mathematics, science, and English. Based on recommendations, students are placed in high, average or low sub-groups within their groups for each of the four content areas. Art, home economics, physical education, and music are not usually grouped on academic ability levels.

Many teachers were unaware of the grouping/tracking procedures or they were not sure of the mechanics of the process. They just receive a list of names for each class and continue on with their teaching duties. Others were very aware of the process and added to the interviewers' knowledge of the schools' organization and policies, greatly improving the questioning in a school as the day progressed.

Some of the comments were made by school staff when interviewed in an individual situation and some were made in group situations. The number (N) after each question indicates the number of responses to that particular question. Since each individual did not respond consistently to each question, N's for each question will differ; percentages for each question are independent of any other question.

Question 1. How is ability grouping and tracking defined by your school? (N = 59)

(Note: Question 1 was interpreted, "How are students identified for ability grouping and tracking by your school?" Analysis of this question is an interesting comparison to responses to Question 4.)

Less than one-half (47%) identified valid criteria for grouping of students, i.e., results of standardized tests, honors achievement, ability levels in math and reading.

Slightly more than one-fourth (29%) felt teacher judgement or ability as perceived by counselors, or by junior high records was used; 14% indicated their belief that there were no definitive criteria.

The remaining 10% included one response stating disciplinary reasons: one, student influence on teacher; and four who did not comment.

Comments were grouped into the following categories:

	Responses	
1. teacher judgement/perceived ability	17	29%
2. test results; academic achievement	28	47%
3. no definitive criteria; random	8	14%
4. disciplinary	1	
5. student influence	1	10%
6. no answer	4	
	N = 59	

Question 2. Are policies on student assignments to course, sections, and classes (a) coherent; (b) reasonable and fair, (c) comprehensive; (d) unbiased? (N = 100)

Almost half (45%) of the responses were positive, 15% were negative, and 40% were irrelevant to the question, (e.g., "special education," "open classroom," or "based on what?") or no answer; 38% felt policies were coherent; 52%, reasonable and fair; 46%, comprehensive; 10%, unbiased. The negative responses were 17%, 12%, 12%, and 18%, respectively.

	Yes	%	No	%	Irrelevant/ No Ans.	%	Total N
(a) coherent	11	(38)	5	(17)	13	(45)	29
(b) reasonable and fair	13	(52)	3	(12)	9	(36)	25
(c) comprehensive	11	(46)	3	(12)	10	(42)	24
(d) unbiased	10	(46)	4	(18)	8	(36)	22
	45		15		40		100

Question 3. Are policies applied fairly to students of all races?
(N = 24)

Thirty-seven percent (37%) were positive; 21% negative; 21% no answer; 15% indicated bias perceived but not racially motivated: "students in special education. . . , teacher expectations too high for low group," etc.); 4% felt it was important to know students personally to be fair.

Question 4. On what criteria or data are grouping decisions made? (N = 34)

A comparison of the analysis of this question to the responses to Question 1 shows the following consistencies:

Placement on the basis of teacher judgement or perceived ability: Question 1, 29%; Question 4, 30%; on the basis of test results or other valid criteria: 47%, 43%, respectively.

However, when responding to Question 4, there were fewer responses that indicated a feeling that there were no definite criteria, that decisions were made at random: 14% in Question 1 compared to 3% in Question 4, (8 responses compared to only 1).

	Responses	
1. teacher judgement/perceived ability	10	30%
2. test results; academic achievement	14	43%
3. no definitive criteria; random	1	3%
4. disciplinary	1	3%
5. student influence; parent influence	4	12%
6. no answer; unknown	4	12%

Question 5. (a) Is remedial help available to students? (N = 19)

84% - "Yes" ("EEEA" was indicated as one program)

- one response indicated mainstreaming of students
- others declined answering.

Question 5. (b) In what area(s) is remedial help available? (N = 32)

78% - indicated basic skills (47% reading, 22% math)

9% - considered special education and vocational education as remedial help

13% - did not respond or gave irrelevant answers

Question 5. (c) Are these sections taught by specially trained teachers?
(N = 17)

82% - "Yes"; three of these responses were qualified by specifying "in reading" and "more needed".

18% - gave no answer

Question 5. (d) Is remedial work done in special classes or in the regular classroom setting? (N = 24)

38% - special classes

16% - regular classroom

21% - in both special and regular classrooms

25% - no answer; don't know; irrelevant

Question 6. Is race a factor (N = 27)

41% - "Yes"

37% - "No"

22% - irrelevant or no answer

Question 7. Is socioeconomics a factor in grouping decisions? (N = 20)

40% - "Yes"

45% - "No"

15% - irrelevant (e.g., "yes, but no") or no answer

Question 8. (a) Are students placed in a vocational, college preparatory or remedial track? (N = 18)

22% - "Yes"

28% - "No"

Question 8. (a) continued

50% - incomplete (e.g., "vocational school too difficult") or no answer

Question 8. (b) Can they move from one track to another? (N = 21)

68% - "Yes"; although some of these were qualified by "at times"; "parent's request", "8th grade career can"

29% - irrelevant (e.g., "yes/no") or no answer (one response indicated there were "no tracks")

Note: It is interesting to note there were no negative responses to this question.

Question 8. (c) Does their progress receive an ongoing evaluation?
(N = 27)

78% - "Yes"; some responses were qualified by "indirectly", "often", (by) "school psychologist", etc.

22% - irrelevant ("yes/no", "teachers never change") or no answer; one response indicated "don't know"

Note: There were no negative responses to this question.

Question 9. How would you describe your school's grouping/tracking procedures and practices? N = 19

47% - positive (e.g., "flexible", "okay", "good/fair")

16% - negative: "discipline problems . . . because students can't read," "too many in vocational education" etc.

Note: one positive response noted, "1980-bad; 1981-very good"

Question 10. Are parents made aware of how and why their students are grouped for instruction? (N = 24)

46% - "Yes"; two response qualified: "a few, most don't know," and another "just. . . high academic students."

21% - no answer

Question 10. continued

Note: 33% of the responses were indefinite: "23% bused; no racial problem," "some racially indentifiable classes better for education," "too much time devoted to a few kids."

Generalizations and conclusions drawn from grouping and tracking questions:

1. All students are not aware of policies regarding high-level classes:
 - some students in the classes are not counseled
 - high achievers are not always recommended by teachers; information is not volunteered to students
 - request for college preparatory classes is not always fully complied with
 - achievement test not always given
2. Bias is perceived by some Black students and administrators:
 - teacher expectations for low group are not realistic; they are too high
 - GPA's are not cited to determine class assignment
3. Many teachers are not flexible in teaching methods and materials:
 - curriculum is not seen as more than content to be taught in subject matter classes
 - unfamiliarity with community (and therefore needs of students) suggests home visits and more familiarization necessary for appropriate teaching methods and materials
4. New position of reading resource teacher in some schools needs clarification:
 - consultant to teachers, or remedial teacher for students
5. Responses to questions 6 and 7 indicate that some bias is perceived. This should be explored further.

The following edited comments were made by Black parents concerning the children and students in ability grouping and tracking situations. They were taken from interviews, inventories, and informal discussions at Community Action Meetings.

Black Parents' Views:

1. Black students are primarily being placed in special education classes at the elementary levels.
2. Test scores are not being interpreted accurately.
3. Different achievement tests are administered to Black students. Tests do not reflect acquired knowledge skills.
4. Psychological tests serve as the instrument to assign students to special education and remedial classes.
5. Psychological records, as well as past records, are used to label and maintain students' placement in various classes.
6. The majority of students in special education classes are Black.
7. Disruptive students are often placed in special education.
8. High-leveled reading material is used to retain students. There is a lack of developmental skills being taught to students.
9. There have been expressed interests about the policies on assigning students to various classes. However, inquisitions have been ignored.

White Parents' Views:

There were no specifically identifiable views of White parents. White parents volunteered no additional information.

Title I

Criteria are prescribed for admission to Title I programs. The Title I programs have a disproportionate representation of Minority pupils (indeed, bilingual programs -- also with clear Federally prescribed criteria -- have 100 percent Minority representation). Data from two school districts serve to show the overrepresentation of Minority pupils in Title I programs (Percents) in Summer, 1981 and in the regular year program (October, 1981).

School District	<u>Regular-Year</u>		<u>Summer</u>	
	W	M	W	M
A	34	66	24	76
B	40	60	24	76

Based upon the goals of Title I, the above overrepresentation of Minority pupils in Title I programs cannot be called biased. That is, there are educationally sound reasons (or, at least, sound policy reasons) for the overrepresentation.

Office of Civil Rights Report

During the month of November, 1980 two on-site visits by an Office of Civil Rights Review Team resulted in the following statement:

. . . OCR finds the procedures and practices of the New Castle County School District in regard to student assignment within its schools to be in compliance with Title VI, Title IX and Section 504 (see Kirk, G.V. Memorandum, August 4, 1981).

CONCLUSION

Although some classes have predominately more Minority or White pupils than other classes, most classes fall within the policy/procedure manuals (e.g., advanced languages, math, etc.), the Court Order (bilingual education), or Federal criteria (Title I). Other classes have very few pupils and the percentages can be misleading (e.g., 3 pupils in advanced metal shop are all White). In the four districts, the large majority of classes not described by the above conditions fall within ± 10 percent of the racial distribution in the desegregation area. More and more, however, educators and others are seeking school improvement techniques that are not as closely tied to racial balance as past techniques have been. For example: "Reliance on racial balance is wasteful because it deprives courts and . . . agencies of the flexibility needed to formulate viable educational remedies" (Bell: 177. Emphasis added). The issue to be raised, it seems, is less one of racial balance and more one of quality of education or excellence of schooling. Bell (1979) reports this as follows. (Emphasis added)

As Kenneth Clark has concluded: "It is not the presence of the white child per se that leads to a higher achievement for the Negro child who associates with him in class; it is the quality of the education provided because the white child is there that makes the difference . . . "

Recommendations

The Grouping and Tracking Inventory and Interview were used to identify problem areas that the four school districts and their individual schools should attend to and improve. Alternatives should be developed to the three following areas that directly affect ability grouping policies. These areas are: (1) grouping and tracking policies, (2) remedial programs, and (3) grouping and tracking procedures and practices.

I. Grouping and Tracking Policies

1. Problem. There seems to be a need for more clearly defined policies concerning identification of students for grouping of students. Among staff interviewed, many criteria were given which were categorized in five general groups.

Recommendation. The Grouping Guidelines presented in Table GT-1 of this study are both revisions of guidelines developed by the New Castle County School District which no longer exists. The four new school systems have had only a few months to go through their readjustment process and thus revising previously existing policies is a way to continue the daily business of education while new policies are developed. The districts should implement a plan to create a set of grouping and tracking policies with input from parents, students, teachers, and administrators. Wilson and Schmits (1978) point out the importance of ability grouping policies. "While there may be little new about ability grouping, a considerable challenge remains for practitioners and researcher: to communicate and to work together in identifying an appropriate justification for this century-old practice that directly affects millions of children in our schools (p. 536)."

2. Problems. Students' assignments are not always considered fair and unbiased. Minorities did not feel as strongly as whites that the practice was comprehensive and unbiased.

Recommendation. The subsequent development of a comprehensive set of policies giving positive direction to ability grouping. Input from the community, minority groups, and educators should help produce an unbiased set of guidelines. Those who feel present policies are not unbiased may see the circumstances stemming from a lack of knowledge about grouping, or those who rely mainly on their own intuition. Wilson and Schmits (1978) indicate, "(1) Teachers have not been exposed to relevant research (on ability grouping) in their pre-service training. (2) Teachers are more influenced by their experience and the apparent logic of ability grouping than by research (p. 536)."

II. Remedial Programs

1. Problem. Role of reading resource person is not clearly understood by all school staff:

- Some work with students in the classroom and some remove students to work in small ability groups.
- Some work with seniors to prepare them for the competency test.
- Many (25% of interviewees) did not indicate that they knew where remedial work was done.
- Some programs exist to teach students who need basic skills at all academic levels; some teach gifted students; others work only with students in low groups.

Recommendation. The first issue which districts need to address is communication. A well-defined remedial or reading resource program, with policies and procedures will alleviate many problems. The terms need to be defined: remedial reading, reading resource teachers, elementary reading programs, high school reading programs, gifted programs, reading level. When the appropriate program for each school has been developed, teachers within the school should be made aware of all of the resources available through the reading specialist. Classroom teachers are an essential source for early identification of reading problems. For maximum effectiveness of any reading program, there needs to be complete cooperation among all school staff, whether the resource person works with teachers or with students.

2. Problem. More resource teachers are needed. Staff interviewed felt more remedial reading classes are needed; lack of reading skills causes discipline problems and weakens the program.

Recommendation. Through cooperative planning, the possibility of implementing innovative programs may be explored. Title I and basic skills programs can be supplemented by the adoption of low cost state or nationally validated programs. Volunteer aides and qualified parents can assist in many of the routine tasks associated with reinforcement exercises. Consultations with reading specialists will assure that appropriate reading materials are being assigned, materials at both the interest level and reading level of the remedial or other exceptional student. The classroom teacher working cooperatively with the specialist can plan to meet the needs of each student.

III. Grouping and Tracking Procedures and Practices

1. Problem. Bias may exist in the assignment of students to low or remedial groups; however, sex and socioeconomic status were identified as variables equal to, if not more evident than, racial bias, especially by Minorities. It is difficult for many parents to accept the fact that a student is

not doing well in school: pride, emotions, and the welfare of the child are all at stake. A lack of understanding of test score interpretation, grading systems, and ability grouping practices perpetuate this mistrust.

Recommendation. A comprehensive policy for ability grouping with well-defined procedures would help create a consistency from teacher-to-teacher and school-to-school in student assignments to groups. A community communication program that outlines the practices and procedures would also help. The assignment of an "ombudsman" to objectively hear the complaints of students, parents, and teachers with the skills to mediate and create change would provide additional assurances of fairness and justice. The effort to create racial balances can place the burden on the school to manipulate the student population into a balance not always beneficial to the individual. Irvine and Irvine (1981) supports this by saying, "It is unfortunate that the children of the urban poor, the black poor, often become the victims in the political maneuverings, idealism, and fervor of school desegregation court cases. Education, like other life chance situations, uses the poor for subjects in social experimentation while policy formulators exercise their alternatives by enrolling their children in nonpublic schools."

The research on homogeneous versus heterogeneous grouping allows contradictory conclusions. Studies comparing gifted students in regular and special classes favored ability grouping (Passow, 1958). Another study comparing college results of students from honors level programs and those from comprehensive highs fared no differently (Abramson, 1959).

The issue was also addressed by Findley (1970) whose task force states, "Low self concept operates against motivation for scholastic achievement in all individuals, but especially among those from lower socioeconomic backgrounds and minority groups."

2. Problem. Staff interviewed did not have consensus as to whether students may move from an assigned level. Although there were no negative responses, many positive answers were qualified. Minorities especially felt students were left in a specific track.

Recommendation. Grouping Guidelines state:

Elective and advanced levels of skilled courses, such as calculus and foreign languages, are considered as exceptions to the racial identifiability of instructional groups. Where such classes exist, evidence must be available, however, to show that positive counseling was used to encourage minority and non-minority students to accept the challenge of the more difficult courses. The records of the

counselor should indicate that minority students were given the opportunity to enroll in the advanced courses but refused to accept the option.

If the teachers, parents, and students have access to the Guidelines it assures them of movement from level-to-level but more specific procedures need to be outlined.

The criteria on which the decision will be based need to be listed.

A method to compare the counselors' records with class schedules should be established.

A due process procedure needs to be established.

A method to inform parents needs to be implemented.

The faculty needs to know what type of records to keep to compare with the criteria for basing decisions for movement between ability levels.

Administrators need to support, to develop, implement, and evaluate these procedures.

3. Problem. Staff was not clear as to whether students' progress received ongoing evaluation. Many teachers are not aware of the students' total program. They provide a grade for a subject for a certain period of time and this assessment is transferred to a cumulative record or file. Grouping Guidelines do not address the ongoing evaluation.

Recommendation. The task force organized to advise on scope and organization of ability grouping (Findley, 1970) recommends: "Provisions should be made for frequent review of each individual's grouping status as part of the instructional program." The recommendation in the Problem 2 in this group includes a series of steps that are also applicable in this case.

4. Problem. Many of staff interviewed were unsure of whether, or how, parents were notified of criteria for student grouping.

Recommendation. The policies need to be established and procedures developed for implementation. Later the districts have a program it can define and explain in the following ways:

The policies and procedures can be explained at parent conference.

The policies and procedures can be explained at school meetings, school board meeting, and community action meetings.

The policies and procedures should be rewritten into a layman's manual with a four to six grade reading level and distributed to parents. It could be mailed to those who request it, added to the Code of Conduct and sent home with students, or it could be incorporated into the news media and become a newspaper supplement.

Explaining the procedures to students at the beginning of the year would (along with the Code of Conduct) help students understand also.

5. Concern. There are concerns that Mincrity students are not being counseled into higher level courses such as physics, calculus, German II and III, etc.

Recommendation. Mincrity students, not only need, but have the right to be counseled into enrolling in advanced and higher level courses in math, science, social studies, and English. Teachers in these courses, since enrollments are usually less than average class size, should provide extra help and instruction, if and when its needed. Grades should not be "given" to these students to ensure their passing or remaining in class, but patience and understanding of their instructional needs should be practiced to give them an equal chance at learning the material. A little extra "push" and higher expectations of minority students will help raise academic levels. provide opportunities for more students, and help ensure a sound education for all.

Many of the problems and recommendations can be dealt with through establishing precise and specific guidelines, policies, and procedures. The communication of these policies to the community, educators, and students would alleviate many of the problems.

The school districts are young, not yet a year old, and need time to develop their programs, exert their leadership, and establish a rapport within their own profession and with the community. Most of the districts' personnel remain from the New Castle County School District. It is hoped these people realize they are in a new situation, one that has room to grow with innovative and exciting programs. There is a new blend of faculty, new administrative styles, and a chance to start over, a chance for change.

Innovative Program

The following program has been identified as a very positive approach to dealing with students in low groups and those who are failing or have failed specific subjects. The teacher, parent, and student all know where the student is in relation to assignments, his/her problem area, and academic progress.

Innovative Program: Progress Report

To help students learn self discipline through studying and homework, each student is expected to take books and assignments home each evening. Faculty at Gauger Junior High check that each student has books or homework assignments.

When a student has been retained (i.e., kept in the same grade for a second year) for academic reasons at Gauger a Progress Report is required for each student during the repeat year. The form contains four areas: language arts, math, social studies, and science with places for present academic grade, days absent, teacher comments about each subject, and space to comment on the student's attitude. There is room for the teacher's initials in each subject area.

The Report is sent home every two weeks so the parent(s) will know that the pupil is receiving special attention and what progress the student is making. The administration and the faculty team try to meet with the parent(s) before the program is started so they will understand what the Progress Report is intended to tell them and when to expect the student to bring it home. The same Progress Report is available to other parents who request that it be used to help them and their children. If a student is having difficulty in a subject area, if there is an attitudinal problem, or if the parent is simply interested in their child's progress, the Report will be completed and sent home.

Special Education Study

This portion of the study will deal with Special Education programs, policies, and procedures in the four school districts that make up New Castle County, Delaware, desegregation area. The four districts, Brandywine, Red Clay, Christina, and Colonial, prior to September 1981 were the Area I-IV districts of the now defunct New Castle County School District.

A team of five persons spent several weeks in various schools of each of the four districts. They talked to and interviewed students, parents, teachers, administrators, and other school personnel. They analyzed volumes of data collected by the Research and Reporting Division. They spent time in individual homes, community centers, and other places where pertinent data concerning the schools could be collected.

P.L. 94-142, The Education of All Handicapped Children Act, establishes the right to an education for handicapped children and youth. Handicapped children are defined as those children needing special education and related services who fall into the categories of mental retardation, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, orthopedically impaired, other health impaired, deaf-blind, multi-handicapped, or as having specific learning disabilities.

Enacted in Congress in November 1975, the major purpose of P.L. 94-142 is as follows:

It is the purpose of this Act to assure that all handicapped children have available to them . . . a free appropriate public education which emphasizes special education and related services designed to meet their unique needs, to assure that the rights of handicapped children and their parents or guardians

are protected, to assist States and localities to provide for the education of all handicapped children, and to assess and assure the effectiveness of efforts to educate handicapped children. (Sec. 601(c))

The key phrase of P.L. 94-142 is free appropriate public education which is defined as:

Special Education and related activities which (A) have been provided at public expense, under public supervision and direction, and without charge, (B) meet the standards of the State educational agency, (C) include an appropriate preschool, elementary, or secondary school education in the State involved, and (D) are provided in conformity with the individualized education program required under section 614(a)(5).

(Sec. 602(18))

The rules and regulations (Federal Register, 1977) for implementing P.L. 94-142 further operationally define appropriateness through the specification of six major principles. These principles include: zero reject, nondiscriminatory evaluation, individualized education program, least restrictive placement, due process, and parent participation.

To see if these requirements are being carried out, Special Education policies were examined to see if they exceeded the minimal requirements prescribed by P.L. 94-142. They were also examined to determine if they are coherent, reasonable, comprehensive and unbiased.

Starting at the beginning of the 1981-82 school year, four designated areas of the New Castle County School District were reorganized as four independent school systems. With most of the data for this study being gathered during the first six months of the new reorganization plan, many district offices are still in "working draft stage" of developing administrative procedures manuals outlining the policies and their implementation for exceptional children programs.

The Delaware Department of Public Instruction has developed an Administrative Manual for programs for exceptional children. The 1977 document was revised in September 1980. The Administrative Manual for Programs for Exceptional Children states,

. . . the current revision reflects changes in State rules and regulations pertaining to the education of exceptional children which have become effective since July 1, 1978. In addition, several sections were revised for purposes of clarification.

An examination of the Manual found it to be, from a user's standpoint, comprehensive, well planned and organized for access and use and written to explain and interpret, in some cases, the law it plans for its implementation. The Manual would be a necessary and useful document for Delaware school districts to use as a model.

The New Castle County School District adopted in September 1980 an Administrative Procedures Manual for Programs for Exceptional Children. The document, as did the state's manual, comprehensively covers the six principles identified by P.L. 94-142: zero reject, nondiscriminatory evaluation, individualized education program (IEP), least restrictive placement, due process, and parent participation.

The Brandywine Programs for Exceptional Children Administrative Procedures Manual (Working Draft) is in the process of being revised to meet the district's needs in complying with P.L. 94-142, state laws, and The Delaware Department of Public Instruction State Plan for Special Education. The district Manual follows the 1980 Manual, NCCSD. The district manuals all follow the general guidelines outlined in the New Castle version. All are comprehensive, carefully written to define and explain a broad range of procedures. The procedures are reasonable with federal and state laws and district policy. Special Educators with even a cursory

knowledge of Special Education programs, procedures, and experience should have no trouble reading and following the district policies.

In some cases district procedures exceed those required by law or by the state, or district programs which must be offered by all districts. One such example is the Delaware Continuum of Services Model which contains seven levels, I through VII. The model describes the services that must be provided in order that each handicapped child can be educated in the least restrictive alternative to the regular educational program (State Administrative Manual).

The Brandywine Programs for Exceptional Children: Administrative Procedures Manual has expanded the continuum of Services Models from seven levels to ten levels to better describe and outline the educational support specially identified students receive in their district. The additional levels further explain the broader ideas (i.e., the state says Level III, "for the major portion of his or her daily educational program. . .," while the district says Level III, ". . . in one or two areas while in the resource room," and Level IV, ". . . in three or more levels while in the resource room." This helps to clarify the guidelines (continuum) and also provides more specific meaning to parents, administrators, and special educators as to the degree of severity or the range of educational problems confronting the child.

Table SE 1

Special Education Enrollment by District

District	Black		White		Other		Total
	No.	%	No.	%	No.	%	
Brandywine	523	47.5	572	51.9	7	.7	1102
Red Clay	576	40.7	747	52.8	93	6.5	1416
Christina	669	44.2	822	54.3	23	1.5	1514
Colonial	308	28.9	742	69.7	13	1.3	1064
I.L.C.'s/ Special Schools	526	36.0	893	61.0	42	2.9	1467
Total	2602	39.7	3776	57.5	183	2.8	6563

An examination of the Table SE-1 shows the percents of Special Education students that are Minority. Based on the approximate 29 percent Minority, 71 percent White enrollment in the schools, the table shows a disproportionate number of Minorities in Special Education. Even using the court's formula of plus or minus 10 percent, three of the four districts are above the 29 percent mark, and are still above the 39 percent when the plus 10 percent is added. Brandywine (47.5 percent), Red Clay (40.7 percent) and Christina (44.2 percent) all exceed the ratio of Minority/White students in the schools. Only Colonial with 28.9 percent is within the original ratio. (See Table SE-2, Enrollment by School.)

A Special Education Inventory (see Appendix SE-A) was used to gather quantitative data. A Special Education Interview Guide was used when interviewing persons about the Special Education programs (see Appendix SE-B).

SPECIAL EDUCATION ENROLLMENT BY SCHOOL*

Table SE-2

School	Grades	Black		White		Other		Total
		No.	%	No.	%	No.	%	
- - - Brandywine - - -								
Hanby	7-9	29	70.7	12	29.3			41
Brandywine	10-12	23	56.1	18	43.9			41
Claymont	10-12	29	47.5	32	52.5			61
- - - Red Clay - - -								
Conrad	7-9	49	34.0	88	61.1	7	4.9	144
Skyline	7-9	45	71.4	17	27.0	1	1.6	63
Stanton	7-9	12	28.6	30	71.4			42
A.L. Dupont	10-12	19	51.4	14	37.8	4	10.8	37
McKean	9-12	23	41.8	30	54.6	2	3.6	55
- - - Christina - - -								
Stubbs	K-3	23	43.4	30	56.6			53
Gauger	7-8	43	47.3	48	52.7			91
Christina	9-12	61	44.8	73	53.7	2	1.5	136
- - - Colonial - - -								
Castle Hills		6	12.5	40	83.3	2	4.2	48
McCullough		39	27.1	105	72.9			144
New Castle		27	35.1	49	63.6	1	1.3	77
Wm. Penn		63	34.6	118	64.8	1	.6	182

Conrad and Stanton in Red Clay and the four schools in Colonial are the only ones within the limits of White/Minority ratio of 29% - 71% ($\pm 10\%$). These were the schools visited by the Study Team.

The report is divided into two parts: first, the Inventory data are analyzed on a question-by-question basis; second, the Interview data are analyzed on an interview item basis. The interviewees, however, are not identified to retain anonymity. Data are organized to follow the questions of the Interview Guide.

The analysis of data and the selected comments by interviewees are followed by brief descriptions of some Special Education best practices and conclusions. The report ends with recommendations.

In order to determine if these prescribed requirements were being used, teachers, administrators, parents, students, and Special Education professionals responded to a 12-item Special Education Inventory (see Table SE-3, Means, Medians, and Combined Median); and others were personally interviewed (Appendix SE-C , Personal Interviews: Position/Race).

Statistical Analysis

In order to determine if there were a significant difference between Minority* and White respondents to the Special Education Inventory, a Chi-square and Median Tests were calculated.

The Median Test is computed using the Chi-square formula and a Chi-square table of critical values which contains critical values for each number of degrees of freedom. For the Median Test the calculated value must be greater than the critical value to show a significant difference. The Median Test can be used with independent groups of unequal size and small samples. The groups are determined by those in the sample of

*Minority includes Black, Hispanic, and Others (see Volume I: Discipline, p. 64, for explanation).

Table SE-3
Special Education Inventory
Means, Medians, and Combined Median

Item	Minorities		Whites		Combined Median
	Mean	Median	Mean	Median	
1.	4.5	4.7	4.5	4.8	4.7
2.	3.1	3.8	1.0	0.5	2.1
3.	2.0	1.4	1.7	1.3	1.3
4.	2.1	2.0	1.7	1.5	1.7
5.	2.3	2.5	1.7	1.4	1.9
6.	2.6	2.3	2.9	3.1	2.6
7.	3.6	3.8	3.9	4.3	4.0
8.	4.6	4.7	4.8	4.9	4.8
9.	4.5	4.7	4.8	4.9	4.7
10.	1.6	1.0	0.4	0.2	0.6
11.	4.4	4.5	4.6	4.8	4.6
12.	4.3	4.6	4.4	4.6	4.5

Minorities (n = 21)
Whites (n = 76)

Minorities and Whites that fall below the combined median score in the range of 0-5 on the Inventory and those above the median score. Since it is not known if the median of Minorities will be higher or lower than that of White respondents on each item, a two-tailed test will be used. The results for each of the inventory items are placed in a table like the one below:

Table SE-4
Median Test

	Minority Respondents	White Respondents	Total
Above the combined median			
Below the combined median			
Total			

The results of the Inventory are discussed on an item-by-item basis. The results of the interviews are categorized by schools. Names of interviewees are not used to insure confidentiality. Schools are not evaluated on an individual basis, as this was not the intended purpose. Overall compliance to the Federally ordered guidelines by the four districts involved is the major goal of this study.

Special Education Inventory by Item*

Question 1. A team of parents and professionals makes decisions for placing students in Special Education programs.

*See Appendix SE-C for Response Means ($\bar{x}$).

Both Minority and White respondents agreed this statement was true with mean responses of 4.5. The four individual districts were also all in close agreement on this question. The range of mean responses across the four districts was 4.3 to 5.0 indicating most agreed consistently that a Child Study Team made decisions on referrals for evaluation and placement into Special Education programs.

A Median Test applied to the individual opinions shows that there were no significant differences between Minorities and Whites ($\chi^2 = .00$, $df = 1$).

Question 2. Students are sometimes placed in Special Education classes who really don't deserve to be there.

The idea that some students are placed in Special Education classes who should not be, met with a great deal of discrepancy. Minorities responded 3.1, leaning toward the "true" end of the scale, and Whites responded 1.0, or the opposite end of the scale.

A Median Test applied to individual scores shows that Minorities who thought students were sometimes placed in Special Education classes who don't deserve to be there were more frequently above the median than were Whites; or, more Blacks think there were more unnecessary placements than do Whites ($\chi^2 = 10.08$, $df = 1$, $< .01$, two-tailed).

Some of this difference comes from the fact that some Minorities believe Special Education is a place where discipline problems are sent. The Special Education guidelines, outlined by law, make this improbable but not an impossible claim. There have also been charges by Special Education teachers that since desegregation, the number of White referrals to Special Education has diminished greatly in the last three years.

Question 3. I think that the full-time Special Education class is the best placement for handicapped students.

Overall agreement by Minority and White respondents on this issue was very close. Mean responses were 2.0 for Minorities and 1.7 for Whites. Both means were closer to the "not true" end of the scale. Thus, while Minorities and Whites agree, they do not think that emotionally or physically handicapped students and students with learning disabilities should be in Special Education classrooms.

They may prefer to have students mainstreamed at any level rather than have them labeled "Special Education" and always be assigned to the special classroom.

The application of the Median Test to this question shows no evidence of a significance difference between Minorities and Whites ($\chi^2 = .00$, $df = 1$).

Question 4. Having to teach handicapped pupils places an unfair burden on the majority of classroom teachers.

The same type of response was given here as was recorded in question 3. There was close agreement between Minorities (2.1) and Whites (1.7) leaning toward the "not true" end of the scale, or that students should be mainstreamed and it is not an unfair burden for teachers. This set of responses is in agreement with question number 3 where both Minorities and Whites preferred to have students mainstreamed rather than be placed in a special classroom.

Some respondents may not be aware of the Special Education training teachers are required to have for certification; they may not be aware of what the law requires for mainstreaming; or they may not know that Special

Education professionals choose very carefully, in most cases, those teachers with whom they schedule mainstreamed students.

The Median Test applied to the responses recorded in question 4 showed no significant differences between Minorities and Whites ($\chi^2 = .02$, $df = 1$).

Question 5. If I were the parent of a child who had an emotional problem, I would want him to be in a regular classroom for most of the school day.

Again, there are similar overall responses by Minorities and Whites. Minority parents would rather have their sons/daughters mainstreamed than have them in Special Education classrooms. This could be due to the fact that many parents (both Minority and White) have difficulty dealing with the fact they have a mentally or physically handicapped child. It could also be they think their child would be better off not being labeled Special Education.

Minority respondents (2.3) were close to neutral which would be 2.5 on a scale of 0-5. White respondents had a tendency to score closer to the "not true" end of the scale. The responses to this question contradict, somewhat, those to question 3. They did not want handicapped students in a Special Education class, but they would tend to want children with emotional problems in a Special Education classroom for most of the day. White respondents felt more strongly about this than did Minority respondents. While both physically and emotionally handicapped students (L.D., S.E.M., E.M.R.) are classified at some level of Special Education continuum, they might perceive a difference between "handicapped" and "emotional" wording in the questions. They may feel that emotionally

handicapped students are more disruptive or in more need of attention than are physically handicapped students.

The Median Test, however, did not show a significant difference between Minorities and Whites responding above or below the median of combined responses ($\chi^2 = .94$, $df = 1$).

Question 6. There is not enough time in a teacher's day to deal satisfactorily with the different needs of both average and handicapped pupils.

The Minority mean response (2.6) was very close to neutral on this question while the White mean response (2.9) tended slightly more toward the "true" end of the scale. While White respondents thought the statement about classroom time to deal with average and handicapped students was more true than Minorities, the Median Test showed there was no significant difference between the two groups' responses above and below the combined median ($\chi^2 = 1.22$, $df = 1$).

Question 7. My school has made allowances for least restrictive environment alternatives.

Least restrictive environment is explained in the literature (section 612(5)(B) of the Special Education Act) as:

It is critical to note what this provision is not:

- It is not a provision for mainstreaming. In fact, the word is never used.
- It does not mandate that all handicapped children will be educated in the regular classroom.
- It does not abolish any particular educational environment, for instance, educational programming in a residential setting.

It is equally critical to note what this provision does mandate:

- Education with nonhandicapped children will be the governing objective "to the maximum extent appropriate."

- The IEP will be the management tool toward achievement of the maximum least restrictive environment and therefore shall be applied within the framework of meeting the "unique needs" of each child.
- The IEP document(s) must clearly "show cause" if and when one moves from least restrictive to more restrictive. The statute states that the following component must be included in the written statement accompanying the IEP "and the extent to which such child will be able to participate in regular educational programs." (Federal Register, 1977)

Minorities had a mean response of 3.6 and Whites, a mean response of 3.9 closely agreeing to the truthfulness of the statement about least restrictive environment. Both groups feel that the school they are associated with, either as a parent, community member, student, or educator, follows the guidelines for Special Education students mandated by law and state and district policies.

The Median Test shows no tendency for the two groups to be significantly different on this question ($\chi^2 = .72$, $df = 1$).

Question 8. There is a due process or appeals process for parents who question the school's decisions concerning their children.

Due process procedures provide a system of checks and balances regarding the education of handicapped students by insuring that educators and parents are able to hold each other accountable. Through due process, the fairness of decisions can be examined and adjusted. There are five major due process provisions of P.L. 94-142. These are (1) a due process hearing initiated by local agency or parents, (2) the rights of parents to obtain an independent educational evaluation, (3) parent must receive written notice prior to the local agency's proposal or refusal to initiate or change a child's identification, evaluation, or placement, (4) parental

consent must be obtained prior to conducting the initial evaluation, and (5) final due process provision is the appointment of surrogate parents.

The mean responses for both Minorities and Whites are very close, 4.6 and 4.8, respectively. The Median Test applied to the responses in question 8 shows, however, that the agreement is not as close as the mean responses indicate. Forty percent of the Minorities responded below the combined median, while only 11.5 percent of the Whites responded below the combined median.

Many Minority respondents do not feel there is a due process or an appeals process for parents who question the school's decisions concerning their children ($\chi^2 = 5.58$, $df = 1$, $p < .05$, two-tailed).

This is an issue that should receive immediate attention. The significant difference means Minority respondents don't fully understand the due process procedures, have little trust in the system to treat them fairly, or they may have had a negative experience with an appeal and therefore feel an injustice.

Question 9. The school district has carefully planned referral, evaluative, and observational processes for placing students in Special Education programs.

This statement was seen as true by all respondents. Overall Minorities (4.5) and Whites (4.8) were very near the "true" end of the scale.

Public Law 94-142 carefully outlines these processes necessary in referral, evaluative, and observational cases charged to educational diagnosticians, school psychologists, Special Education teachers, and other school professionals. Each person's role is well defined as are those of the parent(s). School district policy is generally more

carefully outlined to adhere more with local conditions and policy but keeping within the P.L. 94-142 framework.

Since the courts provide the schools a plus or minus 10 percent differential on enrollment ratios, statistics at which alpha or the probability is greater than .10 will be reported. The purpose of this study is to provide as much information as possible in determining the perception of Minority and White community members, parents, students, and educators about the Special Education policies and procedures.

Minorities responded 40 percent of the time below the combined median for both groups, while Whites responded below the median 16.7 percent of the time. Minorities, therefore, feel considerably stronger than Whites that the school districts have not planned referral, evaluative, and observational processes for placing students in Special Education programs ($\chi^2 = 2.90$, $df = 1$, $p < .1$, two-tailed).

Since P.L. 94-142, state laws and Special Education programs and district policies all carefully outline identification, referral, evaluation, and placement processes, those who feel that this statement is untrue may believe several things. They may feel that standardized provisions have not been made to carry out these procedures or they may have had a negative experience with one or several of the processes and feel, therefore, that these procedures are carried out indiscriminately and are biased towards certain groups.

Question 10. Students with discipline problems are placed in Special Education programs as a temporary solution.

This is one of the more controversial issues in the Special Education and discipline policies and procedures. Minorities responded to the

statement with a mean ($\bar{x}$) of 1.6 on the five-point scale while Whites responded over a point lower at 0.4. This indicates that Minorities feel that the statement is mostly "not true" and Whites feel that the statement absolutely is not true.

The Median Test applied to the ratio of responses of Minorities and Whites above and below the median of combined responses shows that Minorities feel, more so than Whites (at a significant level), that students with discipline problems are placed in Special Education programs as a temporary solution ($\chi^2 = 4.31$, $df = 1$, $p < .05$, two-tailed).

These results were corroborated by personal interviews. Those interviewed, for the most part, felt the number of procedures required to have a student placed in a Special Education program provided a strong system of checks and balances to keep discipline cases from ending up in Special Education. Many Minority interviewees, however, felt that the system could be modified and portions bypassed to have certain discipline cases placed in special programs. Special Education teachers defended the policies and procedures and almost unanimously agreed that Special Education placement was not used for discipline cases. The evidence does tend to show there are serious doubts about keeping some strictly discipline problems out of special programs. It is also true that discipline cases and such problems as reading difficulty are closely related.

Question 11. There is an ongoing evaluation process for Special Education students to help determine when their needs have been met.

Section 84.35 under Subpart D - Preschool, Elementary, and Secondary Education from section 504 Regulation guarantees in part (d):
(Federal Register, 1977)

- (d) Reevaluation. A recipient to which this section applies shall establish procedures, in accordance with paragraph (b) of this section, for periodic reevaluation of students who have been provided Special Education and related services. A reevaluation procedure consistent with the Education for the Handicapped Act is one means of meeting this requirement.

It is evident from these results that most respondents feel confident that evaluation, built into the P.L. 94-142 guidelines, is also part of each district's policies and procedures. Minority mean responses (4.4) and White mean responses (4.6) are similar on this issue.

The application of the Median Test to the responses to this question gives evidence that, while the mean responses are very close, Minorities and Whites did not respond as closely both above and below the combined median response for both groups. The statistic does not show a significant difference on this issue, but results are close enough to monitor closely the evaluation process ($\chi^2 = 2.69$, $df = 1$).

Question 12. Parents and Special Education professionals have adequate input into all Special Education decisions.

The rules and regulations (Federal Register, 1977) for implementing P.L. 94-142 further operationally define appropriateness through the specification of six major principles. These principles include: zero reject, nondiscriminatory evaluation, individualized education programs, least restrictive placement, due process, and parent participation.

Parent participation is one of the six (6) major tenets of P.L. 94-142 and guidelines for parent involvement are carefully written to insure parents' involvement in all phases of the administration of the Special Education Act.

Again, all respondents felt that this statement was true. Parents play an important role in having children identified, referred, observed,

and evaluated for placement into Special Education Programs. Minorities (4.3) and Whites (4.4) agreed on this point.

The Median Test when applied to the responses and the ratio both above and below the combined median response was not significant ($\chi^2 = .00$, $df = 1$).

Summary

Differences between Minority and White respondents ($p < .05$) occur in questions 2, 8, and 10. These questions relate to placing students in Special Education who should not be there, due process procedures, and placement of discipline problems in Special Education. The due process issue seems to be caused by parent misunderstanding (parents may not know how it works). Both groups responded toward the "not true" end for the question on placement of discipline cases into Special Education, but Minorities were less sure that this was always the case. Even if it only happens infrequently, there should be some "court of last resort" or appeal process for parents (note that parents are unsure of the due process procedures). A few misunderstandings on this issue can cause much ill will, especially if these cases happen among the well organized Minority community. (The study team did not observe any specific cases of this possible misplacement.)

Special Education Programs

Interviews

In order to provide a more in-depth examination of the Special Education programs in the four Wilmington area districts, a series of personal interviews was carried out in schools, community centers, and at school board meetings. The Special Education Inventory provided some quantitative data about the feelings of parents, community persons, students, and educators about the Special Education programs in their schools. The personal interview format, conducted on both an individual basis and in small groups, followed through on some of the controversial issues as well as providing more general information and some qualitative data about Special Education.

Personal opinions and evaluations of Special Education programs in the four school districts are disparate. The programs are described as receiving excellent support from building and district personnel and also as receiving little or no support; they are described as following all of the guidelines stated in P.L. 94-142, state guidelines, and district and school guidelines, and there also were suggestions for a complete study and evaluation of the programs to be made by state and federal authorities; and finally, the programs are described as meeting the needs of the physically and mentally handicapped and also as being a "dumping ground" for habitual discipline cases.

There was little agreement on the state of Special Education programs. Teachers report that more Minorities (proportionate to school enrollments) are referred, observed, and tested by Special Education staffs. It was even suggested by some teachers that retesting and evaluation several

years later often find a few students who should not have been originally placed in the program. Once in a program many students do not want to be mainstreamed into other courses due to the lack of security and personal attention. There was little agreement on the state of Special Education programs.

The following descriptions of Special Education programs in selected elementary, junior high (middle), and high schools were compiled from interviews by the external evaluation team with administrators, teachers, students, and parents. A list of interviewees (by district but not school to help guarantee anonymity) is shown in Table SE-5. The interviews were not a device to evaluate individual schools or personnel but a method to provide comments about Special Education programs in the four Wilmington area school districts, using a sampling of schools.

The Special Education Interviews form contains ten questions. Three of the questions have more than one part. In many cases responses to one question contain information useful in answering another question. When possible, the responses are separated. In all the interviews, the interview questions triggered thoughts and information concerning Special Education not covered in the interview form. Since one purpose was to gather as much usable information as possible concerning Special Education, these responses are organized and included under the heading of question ten: "feelings about Special Education programs in your district."

Interview Responses

1. Does your school district have practices and procedures that go beyond those prescribed by P.L. 94-142?

Special Education
Personal Interviews

Position/Race

Table SE-5

	All Districts		Brandywine		Red Clay		Christina		Colonial	
	Black	White	Black	White	Black	White	Black	White	Black	White
Principal	4	3	2	0	0	0	2	3	0	0
Teacher	5	11	2	3	0	2	1	2	2	4
Administrator	2	5	1	1	0	1	0	2	1	1
Parent	2	1	0	0	0	1	2	0	0	0
Other	7	16	1	3	2	3	3	6	1	4
Special Education	5	16	1	5	1	7	2	2	1	2
Totals	25	52	7	12	3	14	11	15	5	11

Other School Personnel:

Guidance Counselor
Home/School Liaison
Community Relations

Includes Educational Diagnostician

Most Special Education teachers responded to this with a "no," but all explain that the federal and state guidelines were rewritten and followed very carefully by each district. All Special Education personnel responded very favorably to the guidelines saying they were very comprehensive and clear as to what had to be done. When asked as a follow-up question "Are you familiar with the district's guidelines," all answered "yes," and said they had a copy available if they needed to refresh themselves on procedures.

The following procedures for referral extend beyond those defined as necessary in P.L. 94-142 and were provided by an educational diagnostician*.

- (1) After a referral by a teacher, the educational diagnostician requests child's schedule.
- (2) The educational diagnostician checks chronological file for absences, grades, retentions, and anecdotal remarks made by teachers.
- (3) The educational diagnostician observes the child in the classroom.
- (4) After a discussion of the student with the teacher, he/she makes recommendations for outside help while evaluation continues.
- (5) Two letters are sent to parents for permission within due process guidelines. Parents are called to explain the possible change to them. Few parents are defensive about the suggestion.
- (6) If parents do not give permission, student may stay where he/she is. If there is no group or class at his level, he may be placed in Title I. Title I math and reading have 2 grade levels.
- (7) The educational diagnostician tests the student using the WRAT, Peabody Individual Achievement, Slossan IQ, and Peabody Vocabulary Test. The CAT is used for district testing.
- (8) A discussion is held with psychologist and/or Child Study Team.

*These indicate that districts do go beyond PL 94-142.

- (9) Psychological testing is done by school psychologist.
- (10) The Child Study Team is composed of the psychologist, educational diagnostician, referral teacher, Special Education teacher, principal, and the parent is consulted.

2. What are the identification procedures in your school district?

The following comments were compiled from the interview responses.

In many cases the interviewees made similar remarks about an issue or topic. It will be noted after the comment that several people said the same thing.

- (a) Several teachers have been charged with referring discipline or potential discipline problems for Special Education evaluation and observation. While the referral process is designed to prevent this, the student is still marked as a problem student and then the rapport between teacher and student becomes worse and the student must be transferred to another class.

An additional complaint to this problem is that no follow-up is made as to why the teacher made the original referral in the first place. When follow-up occurs, the student, again, is usually transferred.

Children are identified by teachers, referred to educational diagnostician, the observations and testing are done by the educational diagnostician. Parents' permission is needed, but they are very slow to respond. Achievement level in class is one of the identifiable variables for placement.

The referral, observation, and evaluative processes are required by law, are maintained by very precisely constructed guidelines, and are very carefully carried out by the Special Education staff. If a referral is written by a teacher, for example, concerning a student being transferred to Special Education, all of the other teachers who have the student in their classes must also write evaluations. This keeps one teacher from having personal reasons for having students transferred from his/her class.

When those students, who are now seniors were referred to the Special Education program three years ago, the first year of desegregation, approximately 85 percent were non-Minority (White) students. In three years since desegregation, the percentage of Minority students in the Special

Education program has changed drastically. The following data show this change.

Special Education Program
1981-1982 School Year

<u>Referrals to Special Education</u>	<u>White</u>	<u>Minority</u>
Seniors, 12th grade	12	2
Juniors, 11th grade	6	10
Sophomores, 10th grade	5	10
Freshmen, 9th grade	4	13

The Special Education teachers who made the above comments reported no White referrals to the Special Education program in their school during the past two years.

The referral process is based on previous testing in another school. Sometimes discipline problems are referred to Special Education.

The problem of referrals for discipline reasons or personal reasons is not large, but it was mentioned at least once in each school, in some cases more often. Each school has several teachers who, for a variety of reasons, do not try to work with or understand some of their students. Racial and socioeconomic reasons are not always the problem. Lack of academic motivation, an older brother or sister who had problems with this specific teacher, or an incident that occurred between the teacher and student all contribute to this conflict. Some teachers attribute it to not wanting to change to deal with the students that are bused in from certain areas.

(b) Observation

The following are comments about the Special Education program made by a school counselor. With such a long waiting period, some children do not get help soon enough. There exists the possibility of not placing a needy child when there are large numbers being referred and waiting for entry. The counselor feels the need to move to some type of vocational training for children who will not receive a diploma.

There are 15 Special Education teachers in this school. Many Special Education students enter school already identified or previously referred awaiting the end of a six-months waiting period. This period is waived if student is identified as a serious case, but that does not often occur. The District Coordinator must be consulted in such cases. Referral may be by parent or teacher. Procedure is outlined in the district manual. Procedures include: observation by the psychologist or educational diagnostician, evaluation by a psychologist and educational diagnostician, a battery of tests, and meeting with the Child Study Team.

A Special Education teacher says that his district has strict procedures for referral which include the IPRD/PRK Meeting, the Head of Special Education, the referring teacher, the educational diagnostician and the parent. Frustration comes from the six-months waiting period mandated to complete all testing, observation, and paperwork.

The protection of the child is exigent, but many feel that students get further behind and more frustrated during the six-months observation period. Efforts are being made in some districts to amend the six-month period under certain conditions.

(c) Evaluation

The educational diagnostician does the testing and evaluation.

The Child Study Team is responsible for the referral, observation, and evaluation processes. An educational diagnostician does the testing. Every year each Special Education student is administered the WRAT and a complete psychological profile is completed every three years. This procedure includes the school psychologist and qualified outside help if needed.

Some teachers felt that some discipline referrals were made to the Special Education staff, but they were

stopped with the observation/evaluation system required by law. They explained how difficult it was for them to distinguish between students termed SEM (social and emotional maladjusted) and those with discipline problems. They feel they are now dealing with a different type of students, those from lower-socioeconomic backgrounds and those with lower educational backgrounds.

During the evaluation stage it was noted by several Special Education teachers that Special Education records were not always forwarded when a student changed schools (i.e., from junior high or middle school to high school). It was also noted that certain Special Education auditors were more concerned with all required papers being in the files and the neatness and organization of the file than with the quality of the files.

The Special Education teachers feel that some of the required paperwork is something they are not trained to do. A particular personality inventory scale is part of the required evaluation-placement work which must be done for each student. The Special Education teachers feel that a psychologist or a psychiatrist is qualified to answer questions concerning homosexuality, family problems, and personal habits. The teachers feel that a student could be "branded" or ruined for life with inventory results in their files evaluated and filled out by a teacher with less than very high ethical standards. They felt that the inventory should be replaced by one teachers are more qualified to use, or that students should be evaluated by more qualified personnel.

(d) Child Study Team

One of the more pressing problems in one school is a lack of space for the Special Education program. Presently, the seven-person staff is housed in a small office area. They are quite crowded when all are in the room. Their planning period is scheduled at the same time each day to facilitate team planning. They believe that this staff contact is good for their placement and evaluation program.

The Child Study Team does not meet at one time; each teacher sees the parent on a one-to-one basis.

Two members of a junior high school Special Education faculty were interviewed concerning their school's Special Education program. The Child Study Team or Special Services Team is made of a Special Education teacher, the principal or vice-principal, the educational diagnostician and others, as their specific services are needed (e.g., the school psychologist). It was felt by those interviewed that there

were too many checks, balances and people involved to assign or "dump" discipline or personally disliked persons into the Special Education program. They feel the referral, observation, evaluation system is very comprehensive and works well when properly carried out.

Initial placement is by educational diagnostician with help from Special Education teacher with approval from the parent. Placement is based on reading ability, not problems created by students. Review is an on-going process by teachers and is done on a formal basis, annually. If change is indicated, a letter to the Special Education teacher is needed and the teacher contacts all members of the Child Study Team. Approval by parent(s) is necessary.

The administration has provided some scheduling support for the Special Education teachers. For example, the Special Education department head is not assigned a homeroom session and all the Special Education teachers are assigned the same lunch period which they use as a planning session while eating lunch. The Special Education teachers get a period for planning. The staff also gets one day a month for Child Study Team activities.

3. (a) Do you use IEP's?

All persons interviewed agreed that students in Special Education have IEP's written for them.

All Special Education teachers have to write IEP's. "It is prescribed by law and how else will we regular teachers know what to do with the students they send to us? We do help them write some of the goals."

(b) If yes, how and by whom are they written?

The Child Study Team writes the IEP for each student. The IEP's are written according to each student's need, and his/her educational background and special problem is considered. The SEM students receive behavioral and cognitive goals. Those with learning disorders (LD) are provided cognitive prescriptions.

The Special Education teacher writes the IEP's and then has a conference with parents to explain it.

The Special Education program mainstreams approximately one fourth of the Special Education students into regular classes. All Special Education students are mainstreamed into art, music, physical education, and in the eighth grade career education. Those mainstreamed

into the regular classes are carefully placed in math, English, science, and social studies. The staff, including the educational diagnostician, works together to develop the IEP's for the students.

Each teacher prepares an individual IEP for each student; there is not time for group meetings.

One Special Education group felt that their main purposes were to change behaviors and mainstream those students where results were plausible. Individual Educational Programs (IEP) are written with behavior change goals as well as academic goals. With a careful selection of instructors and a compatible schedule, students are mainstreamed into regular school courses.

Special Education teachers have been assigned to the same planning period which allows them to work on Individual Educational Programs (IEP) together. These programs are required by law to be developed and implemented for each student in the Special Education program. Depending on the individual assessment of the Special Education student, the IEP's are written with several types of goals and objectives. For those assessed as socially and emotionally maladjusted, behavioral objectives are written as well as cognitive ones. For those with learning problems, the objectives are more in line with their particular learning disabilities.

The Child Study Team is comprised of teachers, a counselor, a nurse, a psychologist, visiting teachers, the home-school coordinator, administrators, educational diagnosticians, and the referral teacher. The teacher or the case manager prepared the IEP.

Although all of the respondents to the interview agreed IEP's were written for each child in Special Education, several teachers questioned the quality of the prescription. Some said they were written by Special Education teachers, some said they were written by the Child Study Team, and others said they were written by individual teachers for their specific content areas.

Several respondents were asked who was designated by district policy (based on P.L. 94-142) to write the IEP's. When asked specifically, "Who

writes the IEP? " many did not know. Most respondents had been on Child Study Teams and they said the IEP's were sometimes written prior to the Building IEP Meeting. Several teachers remembered long detailed sets of objectives and figured they were written by the team. Those who had not been on a Child Study Team were not sure if the parents were or were not involved in developing an IEP.

The Brandywine Programs for Exceptional Children Administrative Procedures Manual (Working Draft) says, ". . . 3. At this meeting (Building I.E.P. Meeting with Parents), the group will: . . . g. Jointly develop, with the parents an I.E.P. for the child (p. 7)."

4. What are the placement procedures?

(a) district

The Special Education teachers were not in favor of the alternative school concept at the district level. Approximately 70 percent of the students have been in trouble with the law, and it was suggested that many innocent and first offenders could be turned into "hardened criminals" in such a school.

It was suggested that Special Education programs do away with some of the required academic subjects like social studies and biology. These could be replaced with courses such as a lower-level, "functional math," business, or typing.

The Special Education staff listed several problems they felt were not unique to their school, but were problems with many of the Special Education programs in their district. As Special Education students change schools, they go through a process to relearn the rules and procedures of the school's administrators, faculty, and the school itself. This takes away from their classroom learning. There are also communication problems with the faculty within the school, especially as relating to Special Education. Some Special Education classes are larger than they should be as are some of the regular courses. This hinders mainstreaming and makes it more difficult for teachers to adapt to special students.

This problem is further broadened by the large turnover in teachers and students.

Student courses are recommended by team, or Special Education professionals based on schedules.

The area vocational school has very high academic standards for entering students. This type of vocational training, the teaching of basic skills for the work world, is what Special Education staffs say their students need. It is impossible for these students to qualify for the vocational school. Therefore, a less academic vocational educational program is suggested. As with other Special Education departments, this training seems a high priority. When Special Education students graduate from high school with some training in math, reading, health, and a few other subjects, they have not been trained with skills.

An administrator said that a major problem was the lack of consistency within a district's Special Education program. While a few are terminated from the program, those labeled socially and emotionally maladjusted (SEM) are very seldom reclassified.

Several teachers, who have been in the district or the school for ten years, said that things are much better now, in terms of working and teaching/learning environment than they were ten years ago. They credited some of the "older" teachers with making a more assertive effort to change and adapt than the younger teachers. This is atypical of most comments concerning teachers' ages.

The Special Education staff and school personnel questioned about the Special Education program felt those students placed in the Special Education program should be there. They felt the procedures for having them assigned were carefully followed and the students were not placed because of personal reasons or as a place for discipline problems.

(b) building

Special Education teachers at one school felt fortunate to have added a sixth teacher. This person is scheduled to follow up with problem students, provide a liaison with the vocational education department, and also keep close contact with those students that have been mainstreamed.

Those interviewed felt that Special Education placement procedures at the district, building, and class level were carefully made following proper procedures. The staff and the Child Study Team or Services Team use IEP's as they have been stipulated by law. The team prepares them with both behavioral and cognitive goals or both as the individual case dictates.

Initial placement is by educational diagnostician with help from Special Education teacher with approval from the parent. Placement is based on reading ability, not problems created by students.

Few of those students tested and evaluated as Special Education students are mainstreamed into regular classes. The Special Education teachers, when possible and circumstances permit, mainstream students. They are very careful to select teachers sensitive to special students' needs and those who understand their needs and will spend some extra time working with them. Special Education students grow comfortable with the special attention they receive in their classes. They know the routines, the teachers, their fellow students, and they also receive little reward from outside the class so it's difficult to get this traditionally low risk-taker into a mainstreamed program.

With a changing faculty and student body, the faculty was credited with making a valiant effort to cope with the idea of mainstreaming.

Placement may be in one of Special Education levels for either part-time or full-time students who are mainstreamed when deemed ready. Parents must approve mainstreaming.

Special Education teachers believe that regular classroom teachers need workshop or in-service training or further course work to make them more sensitive to the Special Education students' needs. This training could also transfer to some parents and students. More student understanding and support by parents of Special Education students are also badly needed.

A major problem seemed to be the "gap" between the lowest academic group and Special Education. This "gap," as in other schools, is in dire need of remedial work; reading and math. These students are not inflicted with physical handicaps and learning disorders. They simply cannot read and for this reason they have trouble keeping up with the lowest academic group. There should be a remedial reading program to facilitate the needs of this

group. High school freshmen or ninth graders have trouble getting remedial help. It is provided only for those who need to raise certain skills in order to pass portions of the competency exam.

(c) classes

Some teachers believed that one problem with some Special Education placements was inclusion of learning disability students, social and emotional maladjusted students and the educable mentally handicapped into the same classroom environment. While class size is limited, the Special Education teacher is still dealing with students with a variety of special problems and being in special classrooms compounds the problems.

The teachers also reported that several teachers have made no effort to change their teaching style or requirements since desegregation. A high school that once had the reputation of having the highest academic standards needed to make some internal changes with the inclusion of students bused from the Wilmington inner-city area. Some of the teachers are not sensitive to the needs of Minority students or those from lower socioeconomic classes. Attempts to provide workshop or in-service training for teachers to help them understand the needs, academic ability, and backgrounds of the new students have been futile.

The Special Education teachers feel that one goal is to mainstream students when circumstances allow. They carefully select teachers to work with mainstreamed students when scheduling permits. They are aware of those teachers who are sensitive to the needs of Special Education students and those who would work with these students. With many high school students reading on the 2nd or 3rd grade level, the understanding and commitment to working with mainstreamed students are necessary.

Not having a Special Education business teacher is a problem for some students. Successes were noted several years ago when there was a special business teacher. Several teachers have tried to teach basic typing, but without proper training and little extra time allotted, it has not fared well. They feel that typing could be a skill a student could use after high school. It has been stressed by the staff that a person be hired or a regular business teacher be retrained to work with Special Education students two or three periods a day. At the time of the interviews in this school, one had not been hired.

When answering the placement question, two home economics teachers thought vocational education was more of a problem than the idea that Special Education received all the discipline cases. Everyone at the junior high is eligible for career education, home economics, business, and metal and wood shops. Clubs such as Future Homemakers of America (FHA) are also eligible to all students. Several Special Education students participate in this program.

The students who need remedial help often end up in Special Education, said several teachers. Classes are small, students receive more personal attention, and the teacher understands them better, deals more readily with their problems, and is better prepared to meet their academic needs. The system should be monitored and evaluated very carefully to insure that procedures are followed on referral, observation, testing, and evaluation. This would keep the Special Education program at a size where those students who should be in it can be guaranteed a least restrictive environment.

5. Do you perform an on-going review?

There is on-going review by teachers and students are retested and reevaluated every three years.

Testing is done every three years unless a teacher sees need for academic review or reevaluation.

Review is an on-going process by teachers and is done annually on a formal basis.

Most of the Special Education students have transferred to the junior high from elementary feeder schools. These students are, however, retested and reevaluated when time permits. Staff testing and evaluation time is usually consumed by new referrals and transfer students from outside the district.

The teachers feel that there needs to be more coordination between junior and senior high school Special Education programs. Records are not always adequate or they may be undated when the student reaches high school. Special Education teachers said that reevaluation and observation show that some Special Education students arriving from junior high schools should not be in the program.

Special Education teachers feel parents are not a problem and do provide support when they understand the situation and are able to help. They usually attend the annual review meetings, but the staff felt they were occasionally intimidated by the large group of Special Education

professionals that attend these sessions with the parents. Steps have been taken to alleviate this problem by having one or two of the staff meet with the parents ahead of time to explain the procedures. Individual staff members try to build good rapport with the parents.

6. Is there a dismissal process?

A review takes place annually; however, at each marking period a teacher or parent may recommend or request reevaluation. A dismissal process is more effective than previously evaluated. Some students are terminated (dismissed) from the program. Reevaluation and parent approval are necessary for dismissal.

There is an on-going review to check the student's progress against his/her IEP's. In those cases where a student progresses beyond a point where he/she can proceed on his own in regular class, there are extensive guidelines for dismissal procedures (dismissal from Special Education).

If a student has been placed in program for several years, student is dismissed.

There is a dismissal or termination process. The psychologist may recommend this and the Child Study Team will make the decision. If a parent wants "no change," they will try to compromise with the committee. Due process is explained to parent by letter (letter is written on 4-5 grade reading level). Access to records is available to educational diagnostician and parents. Educational diagnosticians in district meet monthly and are reviewing a procedural manual. One goal is to shorten waiting time for placement. Meetings are scheduled to discuss policies, for presentations by visiting lecturers and to discuss testing interpretations. All feel this district has a good, effective Special Education program, but that they also take too many short cuts on procedures.

Dismissal is based on academic progress and mainstreaming requires a team meeting and approval of parents.

Most teachers and Special Education teachers are aware of the dismissal process and the procedures necessary to implement it. They said it has only been done once or twice, but one Special Education teacher said it was almost "unheard of!"

A junior high teacher was very serious in her thoughts that all Special Education students were dismissed after several years. When further quizzed, he thought it was school policy for students to stay in the program for a few years.

7. Are there due process/appeals procedures?

Due process/appeals procedures are available and made known to parents. In one case, a grandparent who was the guardian took the case to court to avoid the "stigma of labeling 'Special Education'."

There is also a due process/appeals procedure available to parents, faculty, or students if they feel they should be retained in the Special Education program, moved ahead to a regular class, or dismissed from the program.

All teachers very quickly answered "yes" to this question. Few teachers were aware of the procedures involved, but readily knew parents could challenge decisions made by special educators or teachers concerning their Special Education students. If students are progressing in the Special Education program, mainstreaming can be recommended by teacher. If there is an appeal by the parents to keep student in the special class, they can go to the school for an appeal conference. There is a due process policy, but they feel it is biased. There have never been any appeals.

8. What are the confidentiality procedures?, and

9. Do you have access to all of the child's records?

Confidentiality is closely guarded for all Special Education records. Access to files is restricted and only those with a need are shown that part of the file they need to deal with. The educational diagnostician, school psychologist, and the principal all have responsibility for the files. State auditors periodically check these records to insure their being kept up to date and proper procedures are being followed for referral, consultation, observation, and evaluation. They also check to see if the Child Study Team is writing and evaluating the progress made through the IEP's.

The Special Education records are available through the guidance counselor or the educational diagnostician.

There are strict confidentiality guidelines and audits by the Department of Public Instruction (DPI) of records kept on Special Education students. The records are confidential and only certain persons have access to the files. All three Special Education teachers interviewed felt they had good background files on their students, especially since the area was made an independent district.

When asked about confidentiality, all interviewed answered "yes."

When asked about the specifics, most were not aware of the three pages of procedures that explain parental access, amendment, access by teachers, release of records, and control of confidentiality by the school principal.

Most of the interviewees were sure the confidentiality was maintained and many agreed that there was little need to see the records by others than those dealing with the student.

In one case during the interview process, an interviewer wrote the following comments:

An after school discussion brought the following comments. A teacher and an aide had brought a child's record folder to show me. The folder was a conglomerate of all types of personal records collected over a number of years. Teacher felt this (record folder) was frustrating and not decipherable. There were too many things in it!

It is not known what type of file the teacher and the aide were showing to the interviewer, but even an external evaluation team should not have been shown confidential records without proper authorization.

10. In general, how do you feel about your school district's Special Education program?

Responses to this question were numerous and covered many items and issues the previous ones did not. For convenience the remarks have been

divided into areas: parents' involvement in the program, Special Education and remedial reading problems with the Special Education program, racial problems, and good comments or supportive remarks about Special Education, its staff and students.

Parental Support

Although most teachers and Special Education staff members said parental support was not what they would like it to be, they were very sympathetic with the reasons most parents gave for not being more supportive. The following comments were made by Special Education faculty members or educational diagnosticians.

There is not much support by the parents of the Special Education students. While the staff makes phone calls for conferences with parents, there is still too little contact between the parents and the school and parents do not attend many of the scheduled meetings. It has been noted, however, that the more severe the student's handicap or learning disability the more interest seems to be shown by parents.

Many believed that the parents were generally cooperative but many parents, it was thought, did not want to deal with their children's problems or they simply did not understand.

Many of the parents of Special Education students do not exhibit support for the school and the Special Education programs. Socio-economic problems, distance from the school, lack of knowledge about Special Education problems, and the large number of working parents all contribute to this lack of support.

Poor parental support comes from several issues. Many Special Education students come from low-socioeconomic levels and parents do not understand the purposes of the program. Parents work and it's difficult to be involved in day-time school programs. Many of the disproportionate Minority Special Education students are bused from the city to suburban schools and parents have difficulty getting to and from the schools.

Parents are invited for conferences as outlined in procedures manual but are not always aware of what it means and they do not always show up. They are usually very cooperative and home visits are sometimes made.

Teachers were not sure of parents' awareness of Special Education policies.

If parents will not sign forms placing students in Special Education programs, the school is virtually helpless. Pupils then are assigned to the lowest ability group and teachers do as well as possible with them.

Many steps have been taken by Special Education staff to further facilitate the parents' understanding and cooperation. Parents are provided rides to schools for meetings and consultations, and care is taken when meeting with parents by a Child Study Team not to intimidate or overwhelm the parent with jargon and psychological terminology. All Special Education forms, if necessary, are carefully read to parents and new vocabulary explained. It is estimated by several Special Education teachers that fifty percent of the parents are cooperative and the school does the best they can with the other fifty percent.

Another area of Special Education often raised was its relationship with remedial reading.

Many Special Education teachers felt that a strong remedial reading program would improve the Special Education program. It would also add a new dimension to ability grouping and hopefully give some relief to the increasing discipline problem. The Special Education faculty felt this remedial program would help fill a long-time void in the overall high school program.

Many teachers expressed the fact that frequently, due to reading problems, students end in failure or as habitual discipline problems. Special Education cannot accept them all.

Many felt that reading was one of the biggest problems and it also affected those in the Special Education program. It was expressed that there was a "gap" between the lower grouping levels and Special Education in terms of reading. An improved remedial reading program should help all students, not just those with serious reading problems. A reading program would help with discipline, absenteeism, and tardiness while raising, if only to minimal levels, academic achievement.

In one school, Special Education teachers feel that a remedial reading teacher and another Special Education teacher would greatly enhance their program. This request was denied, however, when a new teacher was hired to teach and supervise a newly implemented in-school suspension program. They feel, as do teachers in other schools, that some discipline and Special Education problems would be alleviated with some improvement in reading scores and reading skills.

One school has three Special Education teachers. There are also two remedial reading teachers and a remedial math teacher; these persons, however, work mainly with those students who are having trouble passing the competency test.

The biggest problem is that of remedial reading. The Special Education teachers feel some of their students would benefit from working with a remedial reading teacher but it is impossible because of Federal Funding Laws. Special Education and remedial reading are supported by federal monies and law does not permit a student being in both programs.

Several teachers believe that students placed in Special Education programs cannot participate in, for example, a Title I Reading Program. They feel a student cannot participate in two programs at the same time if both are federally funded.

A third area about which numerous ideas and opinions were expressed was that of "problems with the Special Education staff or the Special Education programs themselves."

Special Education progress is good here but the educational diagnostician worries about what happens when students go to 9th grade.

Some administrators and teachers view Special Education students as creating disciplinary problems.

An administrator said of his school: "All procedures are carefully followed here and Special Education referrals usually begin with a teacher." This school has a large staff, thirteen Special Education teachers. However, there seems to be little cooperation between the Special Education staff and the grade-level teachers. There are no remedial programs or teachers.

Special Education teachers don't see themselves as having sufficient time for Special Education students.

The Special Education Department felt several changes should be made to strengthen their program. Skill courses are needed to train Special Education students. Some students are mainstreamed in the shop and home economics courses but they have not done well in the past.

Special Education teachers feel students need some type of training in vocational skills. There is some concern as to what a Special Education student is to do after high school. They have very low level reading and writing skills and must have some type of vocational skill training--something that would provide them skills to use in the work world. The department reported that several years ago there was a study/work release program with Chrysler Corporation, but with a cutback the program was terminated. It was considered a very good program, one that should be reinstated.

Many teachers reported they had too much paper work to do for Special Education students. This time distracted greatly from the time that they felt they should be spending with their students.

Special Education teachers perceive that regular classroom teachers do not want students mainstreamed into their classes. A list that identifies Special Education students is often requested by teachers so they can refuse them in their classes. Some regular classroom teachers believe that 10 percent of the disciplinary problems are caused by mainstreamed Special Education students.

The competency test required of all graduating high school students should not be required of Special Education students. A state high school diploma cannot be awarded without passing the competency test; since most Special Education students don't pass this test, they do not receive a diploma. They receive an "attendance certificate."

Several classroom teachers expressed a general feeling of "frustration" about the Special Education program. For example, they felt that a child may be doing poorly in only one subject but will continue as a Special Education student.

While the building and district administration provided good support for Special Education, the Special Education teachers agreed that administrators had too many duties to really get involved in Special Education and support its real needs. Support seemed to be more reactive to small problems than of the type to deal with bigger, long-term problems.

Most Special Education teachers agreed that building administrative support was very good, but the principal is really limited

in the type of monetary support he is able to allocate to the Special Education program.

Several Special Education teachers reported that when dealing with Special Education students it is imperative to enforce the rules consistently. Many administrators and teachers do not enforce the school rules and policies consistently, and this creates conflict situations, not only Special Education students, but all other students as well. This behavior eventually leads to discipline problems.

One Special Education department felt that district support was not as good as it should be and that there is little follow up on problems, big and small.

There is a lack of emphasis on mainstreaming students into regular classes.

Two high school teachers were very unhappy with mainstreaming. They considered the students to be discipline problems. One expressed a concern for the amount of extra time spent with the mainstreamed student.

Several classroom teachers thought that many Special Education teachers tried to mainstream students just to get them out of their classes.

The Special Education staff and others felt the program could use more money for materials, equipment, and additional staff. They agreed, however, this was true of any of the district's programs. They felt that additional professional staff, such as educational diagnosticians and school psychologists, would greatly aid the program. Special Education personnel claim that there is a lack of materials. What they have is outdated and overused. They have little or no storage facilities.

A vice-principal pointed out the futility of scheduling workshops to get teachers to understand their roles and responsibilities to students bused from the inner-city and to Special Education students. Those people who need the most help to sensitize them to the needs of Special Education students and mainstreamed students do not attend.

The following complaint concerning auditors of the Special Education programs was made by several Special Education teachers in three different schools.

One of the complaints voiced by Special Education teachers was the cursory evaluation the state auditors give the Special Education students' files.

The state monitoring personnel are mostly interested in making sure the school's Special Education files are updated and that all necessary paper is in place and accounted for. Little interest is given to what actually happens to the child as long as the paperwork is neatly kept.

There are two types of monitoring systems: one audits the number of students enrolled for fiscal accountability for federal and state money, the second audits the quality of the programs, IEP progress, and other goals of the programs. Teachers who voiced their concern about the Special Education record auditing and monitoring possibly did not know which auditors were visiting, the auditors did not tell them why they were there, or they may have a legitimate complaint about the quality and purposes of the auditors.

The last comment made about problems with Special Education programs was mentioned several times by Special Education faculty at two different schools. The same charges were also made by a home-school liaison person who seemed very familiar with Special Education programs. The comment expressed is that: "A thorough investigation should be made of all the Special Education programs in the four Wilmington school districts."

When asked to explain this charge further, they said the quality of the programs, the qualifications of personnel, the identification-evaluation system, and the use of time by Special Education teachers all need to be reviewed. One of those who expressed this idea also said, "The Special Education staff's rapport with many parents is deplorable."

Another area discussed with interviewees about Special Education was the one of racial problems, if any, in the program.

Many teachers and Special Education teachers felt that problems since desegregation were becoming more socioeconomic than racial.

When asked about a disproportionate number of Minorities in the program, most agreed. No one provided a specific reason, but the consensus was that Minorities had less capable teachers or poorer school environments in the early educational years. They thought there was also a poor home situation with little educational support and learning problems went undetected in the early years, or these problems simply were not dealt with. Hereditary problems were also mentioned, not just for Minorities or Whites, but for all Special Education students.

The last group of comments points out positive or good aspects of Special Education programs. Most people interviewed--parents, teachers, administrators, and students--had much respect for Special Education teachers and their programs. Most made statements like, "It takes very special people to do a job like that," or "I could never work with special students like they do, day after day."

Mainstreaming is facilitated here as it is at many other schools. It is viewed as a "half-way house" or a transition from the Special Education program into the regular classroom.

The health education requirements for high school students have been adapted to Special Education. Courses such as drivers education have also been adapted to facilitate students in the Special Education program.

Aside from the problems specified by the Special Education teachers, Special Education seemed to have excellent rapport and a good working relationship. They feel that under the circumstances they receive good support from the school administration.

The interviewer visited a Special Education classroom with reading levels from grades 4-7. The class was studying American History and was very relaxed and responsive to the teacher. There were eleven students: six Minorities and five Whites. The students seemed to be at least 15 years of age or older and learning was obviously taking place with no disruptive actions or poor behavior observed.

An associate principal said the Special Education program has competent, interested, and well-trained teachers. He pointed out some of the problems they have encountered with the Special Education program, both in their school and in the district.

The high school Special Education program received good support from both building and district administration according to the teachers interviewed. The program runs very smoothly and there

seems to be a good rapport between all members of the Special Education department and the rest of the school staff.

A high school has a staff of seven Special Education teachers including an educational diagnostician. The compatibility and rapport within the group seemed very good. All seemed open, friendly and supportive of each other.

General feelings about Special Education in this school are good. Last year there were three (3) Whites in Special Education class, this year there is a 50-50 ratio of Minorities and Whites.

The Special Education staff reported a very good working relationship with the guidance staff, counselors, home/school liaison representative, and the Human Relations staff. They receive help and cooperation when dealing with students' school and home problems, children bused from the city, and racial problems.

Interviewees had many positive things to say about the Special Education program and its relationship with the school and faculty. Building administrative support was very good and no serious problems had been encountered with the district staff. Support was provided by a staff with too many duties, too little time to carry them out, and too little money for support materials.

The following edited comments were made by Black parents concerning their children and students in Special Education programs. They were taken from interviews, Inventories, and informal discussions at Community Action Committee meetings.

Black students are primarily being placed in Special Education classes at the elementary levels.

Test scores are not being interpreted accurately during evaluation.

Different achievement tests are administered to Black and White students. Tests do not reflect acquired knowledge skills.

Psychological tests serve as instruments to assign students to Special Education and remedial classes.

Psychological records, as well as past records, are used to label and maintain students' placement in various classes.

The majority of students in Special Education classes are Black.

Disruptive students are often placed in Special Education.

High-leveled reading material is used to retain students. There is a lack of developmental skills being taught to students.

There have been expressed interests about the policies on assigning students to various classes. However, inquisitions by parents have been ignored.

Some of these comments may be due to a lack of understanding.

Parents may not know which tests are used for evaluation, they may not understand the use of psychological tests, they may not know there is a relationship between Special Education and discipline rules and regulations. The lack of support and involvement by parents may be closely tied to a lack of trust and faith in Special Education professionals and school personnel in general because of all the above. The procedures Manual is above the reading level of many parents and this fact does not help their understanding.

Readability of Special Education Procedures Manual

One reason that parents are not more involved in the school's Special Education program is their lack of knowledge and understanding about the policies and procedures of the program. The Programs for Exceptional Children Administrative Procedures Manual for Brandywine School District was subjected to the Fry Readability Group (1968). Because of its simplicity and comparable accuracy, the Fry formula is recommended for use with print material. The formula is used to determine grade level readability coefficients. Sample passage of exactly 100 words are selected starting with the beginning of a sentence. The number of sentences is estimated with the 100 words and then the total number of syllables. The samples are averaged and the number applied to the graph. The samples from the manual averaged 183 syllables per 100 randomly selected words.

The upper limit of the graph is 182 and that provides a readability index of 17+, meaning that the material has a university graduate student readability level (Alexander et al, 1979). The material was checked by a university reading/language arts professor for accuracy. (Note: The readability level of the Codes of Conduct may also be of such a high level that those parents who most need to know them may have trouble with them. Readability level was not assessed by the study team but some parents complained that the Code was "like an insurance policy." Someone may want to check the Codes for readability.)

Summary/Conclusions

Special Education Programs in the New Castle County (Delaware) Desegregation Area, are well planned and organized and PL 94-142 policies have been implemented. The attitude of Special Education staffs is positive, and optimistic. Support within Special Education staffs and between the staff and other school employees seems very good. Most people agree that it takes "special people" to teach in Special Education Programs and those encountered had the spirit, patience, and understanding needed for professionals in these roles.

Most Special Education staffs thought they received good support from building and district administrators, at least within the realm of the decisions administrators can make. Financial problems affect everyone in this period of economic recession and schools feel the budget pressures as does everyone else.

Even with the positive evaluation of the Special Education Programs they are not without their problems. The problems are not all major ones, but ones that can be remedied with creative administration and support.

Morsink (1979) claims, "The goal of the law (PL 94-142) has not been reached because of three prominent problems: (a) negative attitudes (b) fragmented training activities, and (c) the catch 22's of the law" (p. 20).

These three problems are also prevalent in the New Castle County, Delaware Desegregation Area. Teachers assigned mainstreamed Special Education students, in some cases, are not sensitive or accepting of the idea regardless of Special Education teachers' efforts to make careful placements within the confines of schedules, student needs, and IEP objectives. A lack of understanding by some teachers and other school staff and the continued reluctance of these same teachers and staff members to attend school and district workshops to learn about Special Education and mainstreaming perpetuate the negative attitudes and training activity problems cited above.

The communication with parents and their lack of understanding of Special Education create a problem of their own as well as adding to the negative attitude syndrome.

The purported lack of support and interest in the Special Education Programs by parents may also hinge on all overall communications issue concerning Special Education Programs, the role of the school, the role of the Special Education staff, and the role and responsibility of the parent.

The Special Education teachers and related staff also cite problems with the programs: too much paperwork, lack of space for instruction, lack of space for storage of materials and equipment, lack of planning time for coordination within schools and in some cases, too many students (prescribed limits are sometimes exceeded). Over-taxed time by teachers for planning and writing IEPs and Child Study Team meetings are also considered high priority problems by the teachers as is the difficulty in getting some teachers to cooperate when trying to organize mainstreaming programs for Special Education students.

Special Education staffs must continue to monitor carefully guidelines, policies, and procedures. The "catch 22's" cited in the beginning of this section should not be circumvented: shortening of observation time, not using all of the required tests for evaluation, and not conducting proper meetings add to miscommunication and misunderstanding. Steps should be taken to amend these guidelines if they are unrealistic or will not work in the district framework.

Time is an important aspect for the future of Special Education Programs in the New Castle County (Delaware) Desegregation Area. With two complete changes in district boundaries, administrations, and local authority during the past four years, one as recent as the summer of 1981, time is needed for the districts to "sort themselves out." It takes time for administrators to exert their leadership, show their style, and display their priorities.

Communication links need to be established within the community and a rapport developed.

Recommendations

One of the purposes of this study was to identify problem areas that the four school districts and schools should attend to and improve. The four systems should seek alternatives to the four following areas that directly affect the Special Education Programs. These areas are: (1) program administration, (2) community support and communication, (3) curriculum, and (4) program support.

I. Special Education Program Administration

1. Problem. Many Special Education teachers pointed out that there needs to be a more consistent administration of the guidelines and policies at the school level. The referral, evaluation, observation, and placement procedures need to be monitored carefully. Class size should not exceed maximum limits. Objectives for dismissal and termination need to be carefully checked so students who show behavioral progress and/or academic achievement can be mainstreamed or returned to the regular school program. Due process procedures must be strictly upheld. For the protection of both the student and the Special Education staff member these procedures must be followed.

Recommendation. The purpose of schooling is to give the child the best possible education whether in Special Education or the regular classroom. The guidelines of PL 94-142 are designed to facilitate this education, provide a framework for the teacher to work within, and to protect the child by guaranteeing him/her a certain level of education. The actions of the Special Educator are monitored very carefully by the classroom teacher, especially those with handicapped children mainstreamed into their classes. The misunderstanding of Special Education and its population can be helped by the careful carrying out of the guidelines, policies, and procedures by the Special Education staff. This will help others understand the seriousness of the problem, the strength and purposes of the guidelines, and will help insure each Special Education student a better education.

2. Problem. The Individual Education Program (IEP) received a more positive reaction when it was developed by a team rather than an individual. Indeed, the latter, by law, should not be a practice. Many persons do not understand the IEP, its role or use, and many, including some parents, are not sure where or who originates the document.

Punzo and Caetano (1979) suggest two alternatives for developing IEPs: (1) use a traveling team approach, and (2) develop IEPs with building level teams. The building level concept seems to have the most merit even though it would require extra resources and time. This approach would also help educate building staff to the needs, requirements, and responsibilities of Special Education students. Special Education faculty complain of too much paperwork which distracts from classroom contact and instructional time. Keeping IEPs up to date and constantly checking the objectives and progress add to the time dilemma.

Recommendation. Administrative action to schedule Special Education faculty into common planning period and eating times may help alleviate time and paperwork problems. In schools where this scheduling has been done it has met with very positive results from the Special Educators. The scheduling also provides for the opportunity for maintenance of programs and procedures for personal development. This scheduling idea will also help the Child Study Team. The use of subgroups to deal more indepth with programs (IEP), scheduling, curriculum, and mainstreaming problems affecting a special student should also bring more comprehensive information into the group or team and still help deal with the time and paper work situations.

3. Issue. The disparity in racial placements in Special Education programs is a national one. A General Accounting Office Report states that, "... racial and ethnic minorities are overrepresented in some disability categories: Blacks in educable mentally retarded, American Indians in learning disabled, and Asian Americans in speech impaired (GAO; 1981)." An October 28, 1980, Memorandum, New Castle County School District states, "Of great concern to us is the disparity in ratio between special and regular program youngsters."

	1980	1981	1980	1981	1980	1981
	<u>Black</u>		<u>Hispanic</u>		<u>White</u>	
All Youngsters in Special Education	39.7	42.4	2.7	3.3	57.5	54.3
All Youngers in Regular Programs	24.1	27.5	2.3	2.6	72.5	69.8

Special Education enrollments show a gain of 2.7% (Black), .6% (Hispanic), and drop of 3.2% (White) between October, 1980 and September, 1981. (Special Education Schools excluded).

Recommendation. The GAO suggests that a study be done on why the proportions of students of different races and ethnic backgrounds in Special Education Programs are different from those in the general population. For example: males of all races are overrepresented in all categories, particularly in learning disabled. Until all the facts are in on the who's and the why's concerning disproportionate racial enrollment rates in Special Education, following the guidelines set forth by PL 92-142 seems to be the best alternative.

The October Memorandum also carries a firm recommendation: "Strict adherence to the steps defined in the PROGRAMS FOR EXCEPTIONAL CHILDREN - ADMINISTRATIVE PROCEDURES MANUAL is essential. The required processes will insure proper placement for each youngster."

4. Problem. The willing acceptance of mainstreamed Special Education students into the regular classroom meets with strong attitudinal opposition in some cases. At the beginning of each six, twelve, or eighteen week school period some teachers carefully look over their class rolls for Special Education students, certain ethnic students, or those known as discipline problems. Next they try to have that person or persons removed from their class. Special Education teachers are very careful in their class. Special mainstreamed students. They try to place students in those classes where they know a sensitivity exists, where extra help is provided, and where an attempt to promote learning takes place. Schedules, class sizes, and other conflicts sometimes keep the best placement from taking place.

Recommendation. Schubert and Glick (1981) reported five commonalities in Special Education programs promoting mainstreaming that are termed successful. These elements will be useful in Delaware.

1. Good communication was overwhelmingly mentioned by administrators, regular educators, and special education personnel alike as the single most vital factor in the success of their programs.
2. A second shared attribute of the settings visited was the mention by the teachers of strong administrative support for what they termed "mainstreaming."
3. A third advantage frequently cited was the passage of time. All of these programs had been in effect previous to the enactment of PL 94-142, and the personnel involved had time to work through their initial problems and concerns.
4. A fourth element in facilitating such programs was flexibility in scheduling. At each site, teachers reported that even after some years of experience, scheduling remained one of the most frustrating and time-consuming components of mainstreaming.
5. Finally, the positive attitudes of the personnel involved permeated all of the other factors. Administrators, teachers, other school staff, and students all seemed very open and willing to cooperate with and accept mainstreaming concepts.

Each school should develop a plan that would implement the five ideas presented by the observers of successful programs. Through communication, inservice programs or workshops, and a willingness to cooperate, some of these problems can be overcome.

"Some Final Thoughts," by Jerry D. Chaffin, from his book chapter, "Will the Real Mainstreaming Program Please Stand Up!" lists ten observations and suggestions for improving and expanding mainstreaming programs. The items are listed on the following page (Chaffin, 1975, pg. 201).

II. Community Support and Communication

1. Problem. "No educational plan for a disabled child can be effective if it takes place in an environment where he or she is separated from the other children by an invisible barrier of anxiety and fear (Robinson, 1979, p. 25)." Many comments concerning Special Education by educators, parents, students are based, in part, on a lack of understanding about PL 94-142, handicapped, mainstreaming, and learning disability. Unless they started teaching since the law went into effect and required a Special Education course for teacher certification, many teachers have had little, if any, formal instruction in Special Education. Unless parents, friends, or neighbors have a special child, they understand little about Special Education. The same is true of most students. No direct contact with special children or adults, or the absence of formal training, means a person's understanding level will be very low. This lack of understanding creates a communication problem and a lack of school and community support for Special Education.

Recommendation. There are numerous ways to make educators, parents, and students more aware of the characteristics and needs of handicapped children. (1) Simulation of handicapping conditions can make situations the visually and hearing impaired face real to normally sighted and hearing persons. Spending the day in a wheel chair or being forced to learn something much too difficult are examples of ways--when presented in the regular classroom for students, or in a workshop, seminar, or PTA meeting--educators and parents can learn about special children. (2) Looking at aides and appliances, holding them, using and wearing them help satisfy the normal child's or curious adult's beliefs about items some people need to survive. (3) Guest speakers are perhaps the most important part of an awareness or communication program. Interpersonal communication will solve many of the problems. (4) There are numerous books, movies, and videotapes that help explain the handicap or the disability, and (5) the most important, a follow-up discussion led by a knowledgeable person who can further explain or answer questions. An article entitled, "Awareness Program Helps Children Understand Special Needs," presents a simple, but effective way for helping students to understand (Robinson, 1979).

SOME FINAL THOUGHTS

The content of the material reviewed for this paper is of such a nature that few if any definitive conclusions or recommendations can be stated. It is clear that a large number of mainstreaming programs are in operation; that the programs vary considerably regarding the administrative organization and services provided; and that in most cases the originators of the program are satisfied with the *subjective* results of their projects. It is also evident that the most notable omission of the various components of the programs reviewed is evaluation. In lieu of conclusions or specific recommendations, the following suggestions are offered to administrators who may be considering the initiation or expansion of a mainstreaming program. While the suggestions are generally reflective of the literature reviewed in this paper, they also reflect the bias of the author.

1. The decision to mainstream should be accompanied by a decision to provide a comprehensive instructional support system for the children involved and their teachers.
2. Not all handicapped children will benefit from mainstreaming. Selection of the children to be involved should be done carefully and should be based on the recommendations of persons thoroughly familiar with the educational and social needs.
3. Mainstreaming plans should be developed at the school building level. Many school buildings are substantially different in terms of the administrative style of the principal, the attitude of the teachers, and the student population in the building. Thus, different approaches to mainstreaming may be necessary depending on the particular climate in the building.
4. Participatory planning may be the most important element in mainstreaming efforts. All personnel (regular and special) who will be involved with handicapped children should be allowed to participate in the planning of the program.
5. If regular classroom teachers are made responsible for exceptional children in their classroom, they should also be allowed to make decisions related to the kind and amount of special education support they, or the child, are to receive.

6. No mainstreaming effort should be attempted without serious attention given to providing inservice education. A systematic inservice education program will be needed by both the special and regular personnel.
7. The procedures for providing instructional support in each building should be carefully delineated. A detailed description of the kinds of support services provided in the building should also be developed. This practice not only enhances communication among the staff of a building but also provides a basis for a student accounting system.
8. Develop a pupil accounting system as a part of the mainstreaming plan. This accounting system should provide minimally a cumulative record of numbers of children served, type of service provided, who provided the service, and for what duration the service was provided. This form of accounting allows the building staff to monitor their own activities and to determine whether they are providing the kind of service they intended to provide. The accounting system is also useful to the Special Education person responsible for the administration of decentralized service systems.
9. Obtain data related to student progress and other important variables such as teachers' attitudes toward the program. It is not necessary to obtain data on every child receiving service. However, a sample of children (every 5th, 10th, or 20th) receiving service should be followed up to provide some feedback regarding the effectiveness of the services rendered.
10. Report the results obtained from the program to administrators, teachers, parents, and community. Even poor results can improve morale if proper steps are being taken to remedy problem areas.

Finally, it is necessary to relate to the request made in the title of this paper, "Will the real mainstreaming program please stand up?" On the basis of the material reviewed here, it is safe to say that it is too early for the real mainstreaming program to stand up. As yet there is an insufficient data base for determining the effectiveness of the mainstreaming programs, and consequently none of the programs (figuratively speaking) have a leg to stand on! And lastly... should Dunn have done it? Of course, he should have—although the present mainstreaming programs do not offer proof that they are an improvement over traditional delivery systems, they are certainly no worse and hold the promise of much more.

2. Problem. All special education personnel interviewed cited apathetic parent involvement as one of Special Education's biggest problems. The parents' prescribed role in the PL 94-142 make them an integral part of implementing an effective program in the school. They must sign forms, be an active member of the Child Study Team, and must facilitate the child's education at home each day after he/she has left school

Recommendation. Reynolds and Birch (1977) list seven reasons that have proven effective when used by Special Educators to help get parents involved in the program. These should be tried.

1. Supervise parents who are employed or who volunteer to assist teachers.
2. Evaluate the educational progress of pupils and interpret the evaluation to parents.
3. Participate with parents in planning and decision-making regarding school policies and practices.
4. Consult with parents about the children's problems and their problems with the children.
5. In effect, be the child's parent when it is necessary and proper. The teacher role under the doctrine of in loco parentis has been eroding in recent years in a legal sense but remains strong in less formal ways.
6. Explain the work of the schools to parents in general as well as to other citizens in the school area whose taxes support the school.
7. Take part with parents in organizing and conducting general community improvement and maintenance activities. (p. 173)

The readability level of the Programs for Exceptional Children Procedures Manual was assessed at the seventeenth grade plus (17+) or on the reading level of a graduate student. Letters to parents inviting them to school or to Special Education meeting are usually written at fourth or fifth grade level, that similar to a newspaper. The Procedures Manual could also be translated into lay person's language and written at a lower grade level understood by most adults. This might help their understanding of Special Education and even make them feel more comfortable when taking part in meetings or programs.

III. Special Education Curriculum

1. Problem. There exists an area in some schools between the low ability group and Special Education which has been identified

by numerous teachers as a problem area. Students in this area could not be placed in a Special Education Program with proper evaluation and observation. They also have problems in the low ability group because they simply cannot read. This lack of skill develops into discipline problems or frustration with school and early dropping-out. Many teachers cite the lack of reading skill as a big reason for discipline problems since reading is an essential skill for nearly all subjects or content areas.

Recommendation. Habitual discipline problems or those with consistently low grades might be tested for visual or hearing problems. Also, they might be given an extended series of reading tests to ascertain if there is an acute reading deficiency that may have gone undetected. The continued quest of Title I type programs, the hiring of additional remedial reading teachers or reading specialists, or a careful screening of teachers to locate those with a strong reading background would be a start point for the further development of an extended reading program.

2. Problem. Many Special Education teachers raised the issue of vocational skills or special skill training for special students. Those who were asked about these needs also readily agreed, making unanimous that some type of vocational training is a high priority item. The vocational school is considered to have academic standards too high for most normal students, and almost inaccessible for Special Education students. Teachers also voice a concern for the Special Education graduates who leave high school with no skill training. Where will they fit, if anywhere, in the work world? Many Special Education teachers are not trained to teach simple skills like typing, filing, simple bookkeeping, or any of the basic shop skills. If special students cannot be mainstreamed into these courses, they have no exposure to these skills.

Recommendation. One high school in the Wilmington area hired a Special Education teacher with a vocational background to serve as a liason for working with industrial arts, business education, and office skills staff. The Special Education staff and the principal worked out a unique scheduling system to keep the new teacher from teaching formal, assigned courses, allowing her time to work with mainstreamed students and high school faculty. Following up problems that surfaced during the mainstreaming process proved to be well worth the time and special scheduling of the teacher. The Special Education staff was quite happy with the support and arrangement. The teachers of mainstreamed students were also very appreciative of the role the new faculty member carved out.

Bolana (1979), in an publication outlining the role of vocational educators and the handicapped, lists several good recommendations for facilitating this arrangement. The role of vocational educators is described, their relationship to the Special Education

staff is explained, and a ten-point planning guide is presented for helping special students learn skills and tasks. A special grading system is outlined based on criteria necessary to learn a skill.

IV. Special Education Program Support

Problem. The state Administrative Manual states, "provision of specialized instructional materials to be used with the student (p. AIII - 3)." Most Special Education teachers said they were hindered in their efforts by a lack of or an insufficient number of specialized instructional materials. Many of the Special Education teachers voiced very positive opinions of the support they received from building and district administrators realizing their concerns for materials, space, and additional help were financial problems and not just a lack of concern by administrators. The problem remains, regardless of the reason: how do Special Education programs gain space, materials, and support for their programs?

Recommendation.

1. Local university faculty are required to spend time in public service. Enlist the aid of one or several to:
(a) write grants to obtain external funds, (b) plan special activities that will raise money, and/or (c) serve as a consultant to your Special Education department to facilitate planning, new courses, scheduling, inservice training, or parent communication.
2. Contact service organizations for all types of handicapped services and request their support for materials they prepare, using for fund raising, or distribute to explain their programs and services.
3. Develop a district materials center or use an existing Media Center or Teacher Center to coordinate your materials and develop a plan to share them, reproduce them, and even produce them to meet your programs needs.
4. Work within the existing school structure to identify new or unused space to renovate or remodel as classroom space, a training laboratory, or a counseling or tutoring center for special students.
5. Enlist the aid of qualified parents or senior citizens for tutoring programs, remedial reading instruction, outside activity programs (e.g., field trips, special training, or rehabilitation), or working as teacher aides in Special Education classes.

6. Work with local organizations concerned with Special Education, Handicapped Education, civic groups (e.g., Lions Clubs and their work with the blind or Sertoma Clubs and their special learning centers) to share ideas, develop cooperative programs, conduct fund raising ventures, or interest local business in support that could be beneficial to them as well as the school program.

The problems of Special Education are quite varied. Communication, lack of instructional materials, and attitudinal change represent but a few. There are positive and negative beliefs about Special Education, its personnel, its students, and its programs. More public information to explain the programs in a positive, contributing light will help alleviate many of the problems. Assigning several people within a district to follow-up on problems, deal with intimidated or highly anxious parents, or to work with teachers who have a potential to accept and support mainstreamed children will make a difference in the eventual acceptance and support for the program. Follow-up on complaints until all parties are satisfied the schools have done all they can. Search the literature for effective proven models for implementing useful programs for students, for inservice activities, or parent involvement. Select models that offer promise and which might be successfully replicated in other settings. Wise use of funds to show gains or successes will help provide future support.

In summary, the study team found that the schools had policies on Special Education and, in general, these were understood by educators and parents. There was little comment about, and no specific evidence to show that bias was instrumental in placement of pupils into Special Education classes. As cited in the discipline section of this study, education in the four districts is a major undertaking. There are bound to be a few problem cases. Some "court of last resort" (such as an ombudsman) might be established to follow-up on individual complaints.

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Appendices

Appendix GT-A - Page GT-2
Grouping/Tracking Inventory

Appendix GT-B - Page GT-3
Grouping/Tracking Interview

Appendix GT-C - Page GT-4
Grouping/Tracking Response Percentages

Appendix GT-A
GROUPING/TRACKING INVENTORY

We are seeking some information about Grouping and Tracking Practices and Procedures at your school. DIRECTIONS. Circle a number to rate your school from 0 to 5. A rating of 0 shows that the statement is not true of your school. A rating of 5 means that the statement is very true of your school.

First, please, some information about you and the school.

- (A) Name of District _____ (B) Name of School _____
1. _____ Brandywine (C) School Grade Level 1. _____ Elementary
2. _____ Christina 2. _____ Junior High
3. _____ Colonial 3. _____ High School
4. _____ Red Clay 4. _____ Other (Specify)

(D) Your position (e.g., Teacher, Student, Parent, Custodian, Administrator) _____

- (E) Race
1. _____ Native American Indian 3. _____ Asian 5. _____ White/Caucasian
2. _____ Black/Negro 4. _____ Hispanic 6. _____ Other (Specify)

- | | Not | True | | True | | | |
|-----|-----|------|---|------|---|---|---|
| | 0 | 1 | 2 | 3 | 4 | | |
| 1. | 0 | 1 | 2 | 3 | 4 | 5 | Some classes (i.e., math, English) in the school are racially segregated. |
| 2. | 0 | 1 | 2 | 3 | 4 | 5 | Ability grouping is a positive practice in the local schools. |
| 3. | 0 | 1 | 2 | 3 | 4 | 5 | Each school district has established policies and procedures for assigning students to academic classes and learning groups. |
| 4. | 0 | 1 | 2 | 3 | 4 | 5 | Specially trained teachers work with remedial students in the regular classroom. |
| 5. | 0 | 1 | 2 | 3 | 4 | 5 | Remedial help is available to students in lower ability groups. |
| 6. | 0 | 1 | 2 | 3 | 4 | 5 | Socioeconomic level is a criteria used for placing students in certain classes or learning groups. |
| 7. | 0 | 1 | 2 | 3 | 4 | 5 | The school district has special programs for students that need remedial help in basic subjects. |
| 8. | 0 | 1 | 2 | 3 | 4 | 5 | Present grouping practices (for classes and learning groups) are intended to help all students from low-ability to gifted students and from low-socioeconomic to affluent students. |
| 9. | 0 | 1 | 2 | 3 | 4 | 5 | There are educationally sound reasons to racially separate students in classes or learning groups. |
| 10. | 0 | 1 | 2 | 3 | 4 | 5 | The research on the effectiveness of ability groups supports grouping as an educational strategy. |
| 11. | 0 | 1 | 2 | 3 | 4 | 5 | Students in low ability groups seem discouraged with school work. |
| 12. | 0 | 1 | 2 | 3 | 4 | 5 | Students are placed in academic groups (e.g., college preparation, vocational, special education, general) in which they stay throughout their school tenure. |
| 13. | 0 | 1 | 2 | 3 | 4 | 5 | Placing pupils into homogeneous groups on the basis of test scores (mastery tests or standardized tests) is fairly accurate? |
| 14. | 0 | 1 | 2 | 3 | 4 | 5 | Do you feel from your experience that grouping children for instruction on the basis of abilities is instructionally effective? |

Appendix GT-B
ABILITY GROUPING AND TRACKING

1. How is ability grouping and tracking defined by your school?
2. Are policies on student assignments to courses, sections and classes:
 - (a) coherent?
 - (b) reasonable and fair?
 - (c) comprehensive?
 - (d) unbiased?
3. Are policies applied fairly to students of all races?
4. On what criteria or data are grouping decisions made?
5. (a) Is remedial help available to students?
 - (b) In what area(s) is remedial help available?
 - (c) Are these sections taught by specially trained teachers?
 - (d) Is remedial work done in special classes or in the regular classroom setting?
6. Is race a factor in grouping decisions?
7. Is socioeconomics a factor in grouping decisions?
8. (a) Are students placed in a vocational, college preparation, or remedial tracks?
 - (b) Can they move from one track to another?
 - (c) Does their progress receive an ongoing evaluation?
9. How would you describe your schools grouping/tracking procedures and practices?
10. Are parents made aware of how and why their students are grouped for instruction? Explain.

Appendix GT-C
GROUPING/TRACKING INVENTORY

We are seeking some information about Grouping and Tracking Practices and Procedures at your school. DIRECTIONS. Circle a number to rate your school from 0 to 5. A rating of 0 shows that the statement is not true of your school. A rating of 5 means that the statement is very true of your school.

First, please, some information about you and the school.

- (A) Name of District _____ (B) Name of School _____
1. _____ Brandywine (C) School Grade Level 1. _____ Elementary
2. _____ Christina 2. _____ Junior High
3. _____ Colonial 3. _____ High School
4. _____ Red Clay 4. _____ Other (Specify) _____
- (D) Your position (e.g., Teacher, Student, Parent, Custodian, Administrator) _____
- (E) Race
1. _____ Native American Indian 3. _____ Asian 5. _____ White/Caucasian
2. _____ Black/Negro 4. _____ Hispanic 6. _____ Other (Specify) _____

	Not True 0	1	2	3	4	True 5	No Response	Item
W	54	13	4	10	5	5	8	1. Some classes (i.e., math, English) in the school are racially segregated.
M	29	19	14	14	19	5	0	
W	3	7	0	10	33	41	7	2. Ability grouping is a positive practice in the local schools.
M	9	9	14	24	24	19	0	
W	5	1	3	14	30	39	8	3. Each school district has established policies and procedures for assigning students to academic classes and learning groups.
M	5	5	19	5	24	38	5	
W	22	5	13	16	17	21	5	4. Specially trained teachers work with remedial students in the regular classroom.
M	9	19	14	19	5	33	0	
W	0	1	3	21	24	51	0	5. Remedial help is available to students in lower ability groups.
M	0	0	5	24	19	52	0	
W	87	5	0	3	0	1	.	6. Socioeconomic level is a criteria used for placing students in certain classes or learning groups.
M	48	19	9	14	9	0	0	
W	1	1	1	13	24	59	0	7. The school district has special programs for students that need remedial help in basic subjects.
M	0	5	0	19	24	52	0	
W	1	1	4	4	24	63	3	8. Present grouping practices (for classes and learning groups) are intended to help all students from low-ability to gifted students and from low-socioeconomic to affluent students.
M	0	0	5	9	57	29	0	
W	67	7	3	3	5	10	5	9. There are educationally sound reasons to racially separate students in classes or learning groups.
M	67	9	0	9	5	9	0	
W	4	0	4	22	22	35	12	10. The research on the effectiveness of ability groups supports grouping as an educational strategy.
M	5	5	19	29	14	9	19	
W	18	17	16	25	13	7	4	11. Students in low ability groups seem discouraged with school work.
M	5	14	0	38	19	24	0	
W	46	12	8	17	12	1	4	12. Students are placed in academic groups (e.g., college preparation, vocational, special education, general) in which they stay throughout their school tenure.
M	29	29	9	14	14	5	0	
W	13	3	14	26	32	7	5	13. Placing pupils into homogeneous groups on the basis of test scores (mastery tests or standardized tests) is fairly accurate?
M	33	14	9	19	14	9	0	
W	1	0	1	12	43	42	0	14. Do you feel from your experience that grouping children for instruction on the basis of abilities is instructionally effective?
M	14	0	0	9	67	0	0	

W = whites N = 76

M = minorities combined N = 21

Appendix GT-D
"Pupil Testing: A Legal View"

Paul L. Tractenberg and Elaine Jacoby

Pupil Testing: A Legal View

A careful and comprehensive summary and interpretation of court decisions affecting the highly significant role of pupil testing in school and society.

Traditionally, local school boards have had the power to assign students to classes and to set standards for promotion and graduation. With this authority has gone the discretion to decide what role pupil testing will play in the local schools. Courts have been reluctant to interfere with school board decisions on methodology, of which they consider testing to be a part. However, they have been much more willing to intervene when a constitutional right is affected by board policy or practice. They have done so consistently where racial or ethnic discrimination was involved in pupil testing.¹ During the past several years, though, there have been signs of erosion both in the willingness of the federal courts to adjudicate constitutional challenges to official conduct² and in their special sensitivity to alleged racial discrimination.³

Despite these recent developments and a paucity of cases without racial overtones, existing court decisions nevertheless still significantly circumscribe all schools in their use of testing. We shall spell out here the court-imposed limitations on the various kinds of tests commonly used in the public schools.

The Legal Limits of Testing

We are concerned primarily with standardized tests rather than school- or teacher-prepared tests, since it is the

former that have commonly been attacked in the courts. Children are given standardized tests on numerous occasions, throughout their public school careers. The tests are generally categorized as aptitude or achievement tests;⁴ most of them are group tests, but a few are administered individually. Each type of test that has been dealt with in court cases will be treated here, roughly in the order in which a child tends to be exposed to it as he or she progresses through school.

As indicated, most of the cases that have thus far dealt directly with pupil testing, of whatever kind, have been limited to situations in which tests were allegedly biased against, or test scores were allegedly used in a discriminatory fashion against, minority groups and females. These cases have been thus limited because they focused upon the alleged denial of equal educational opportunity. The courts analyzed the facts in terms traditionally utilized in cases that arise under the equal protection clause of the Fourteenth Amendment. To prove a denial of equal protection, it is necessary to demonstrate that the state, or its agent, has invidiously discriminated against a class of persons. In the usual case, the state can defend by showing that its differential treatment has a rational basis; that is, that it reasonably furthers some legitimate public interest. Using tests to identify students who require or can benefit from special educational programs may, in many cases, be consistent with the rational-basis approach, and the courts will be reluctant to superimpose their views upon those of school administrators.

However, a more stringent approach,

imposing a far heavier burden of justification upon the state, has been used in cases involving either a "fundamental interest" or a "suspect classification." In such cases the state must show that the differential treatment is supported by a compelling need. The argument that the right to education is a "fundamental interest" has been rejected by the U.S. Supreme Court,⁵ but race and ethnic background are clearly "suspect classifications." Poverty and sex are other possible candidates for that category. Thus, when courts have been confronted with evidence that pupil testing has the effect of causing differential treatment along racial, ethnic, sex, and perhaps economic lines, they have tended to place a heavy burden of justification has virtually never been provided, and reliance on the pupil tests for that purpose has been limited or barred.

IQ and Psychological Tests

Psychological tests, such as the Goodenough Draw-a-Man Test, are frequently given as prerequisites to entrance into school at the kindergarten or first-grade level. Individually administered IQ tests (most notably the Stanford-Binet and the Wechsler Intelligence Scale for Children [WISC]) are sometimes given when a child is registered for school, particularly when there is a question of mental retardation. Both psychological and intelligence tests may be given later in a student's school career, commonly when a teacher finds some evidence that suggests mental retardation or emotional disturbance. The test scores may be used as the primary basis for excluding a child from school

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altogether or for assigning him or her to a special education class — either a class for the educable mentally retarded (EMR) or a class or school for emotionally disturbed (ED) children.⁶

Exclusion from School: Two important cases were concerned primarily with the exclusion of children from school. *Pennsylvania Association for Retarded Children v. Commonwealth of Pennsylvania* (hereafter *PARC*) dealt with children who were excluded under a Pennsylvania statute as “uneducable and untrainable.”⁷ *Mills v. Board of Education of District of Columbia* was broader in scope and concerned a number of categories of children who had been excluded from school, including mentally retarded and emotionally disturbed children.⁸ As a result of these cases, school authorities in Pennsylvania and the District of Columbia can no longer deny an education to such children. Neither case examined any tests given to children prior to their exclusion, nor did the courts specify how tests should be used in the future. Clearly, they cannot be used to exclude children.⁹ Indeed, both cases implicitly envision the continued use of tests for placement of children in special education classes; however, they create safeguards in advance by giving parents a full panoply of procedural rights, including the right to examine the tests and other data on which the proposed placement is based, the right to a hearing to contest the proposed placement, and the right to present evidence from expert witnesses of independent medical, psychological, and educational evaluations. These guarantees suggest that the school authorities’ interpretation of test results and even the validity of the particular tests used are open to challenge and will be closely scrutinized by a hearing officer.¹⁰

Placement in EMR Classes: It is apparent from the foregoing analysis of *PARC* and *Mills* that these cases touch on the use of tests to place children in special education classes. Similarly, in *Cuyahoga County Association for Retarded Children v. Essex*,¹¹ the court directed that procedural safeguards similar to those required in *PARC* and *Mills* be instituted in Ohio schools in connection with the placement of children in special education classes.

The overlap between exclusion and placement cases is even more apparent in *Lebanks v. Spears*,¹² a Louisiana case in which the court entered an order closely paralleling the *PARC* and *Mills* orders. In addition, the court imposed specific requirements concerning the use of tests in one kind of placement. Under the *Lebanks* order, placement in classes for the mentally retarded cannot be made unless the IQ, as measured by an

individually administered test, is 69 or below, the child’s adaptive behavior is subnormal, and the effects of the child’s sociocultural background are found not to affect the rating.

Whereas in *Lebanks*, *PARC*, and *Mills* the plaintiff class was made up of children excluded from school altogether, a number of suits have been brought by children who were in EMR classes as the result of an alleged misclassification. In *Diana v. California State Board of Education*,¹³ the plaintiffs included Mexican-American children who had been placed in an EMR class on the basis of Stanford-Binet test scores ranging from 68 to 52. The crucial fact in this case was the difference in the children’s scores when they

Mexican-American children placed in an EMR class on the basis of Stanford-Binet test scores gained an average of 15 points when retested by a psychologist who permitted answers in English or Spanish.

were retested by a bilingual psychologist and permitted to answer in English or Spanish. They gained, on the average, 15 points. (There was also evidence that the children performed significantly better, by 10 or 11 points, on the nonverbal section of the WISC test than on the verbal section.) These facts were brought out in the complaint, as were facts concerning the methods by which the Stanford-Binet and WISC tests were standardized (on white Anglo-Americans) and the disproportionate percentages of Hispanic students in EMR classes throughout California.

The case never went to trial. The parties stipulated that future testing of non-Anglo-American children for the purpose of special education placement would utilize both the child’s primary language and English. Moreover, only tests or sections of tests not dependent on vocabulary, general information and other unfair verbal questions could be used. State psychologists were to develop and standardize an IQ test that would be appropriate for Mexican-American and other non-English-speaking Californians.

Diana had a significant effect on the use of individually administered IQ tests for EMR placement. In California, legislation to prevent overreliance on test scores followed.¹⁴ According to the new statutes, scores must be substantiated through a complete evaluation of the child’s developmental history, cultural background, and academic achievement. In Arizona, when a suit similar to *Diana* was brought in 1972, a federal court ordered the same kinds of requirements as specified by the California legislature.¹⁵ *Diana* also led to a memorandum by the Department of Health, Education, and Welfare to the effect that schools throughout the U.S.

may not assign non-English-speaking children to EMR classes on the basis of tests that measure English-language skills.¹⁶ The memorandum noted that such assignments may be in violation of Title VI of the Civil Rights Act of 1964, as amended.

Diana brought out the problem of linguistic bias in individually administered IQ tests. Another significant California case, *Larry P. v. Rios*,¹⁷ focused on the cultural bias of the tests against black children. Again a key element was the retesting of the plaintiffs, black San Francisco elementary school children who had been placed in EMR classes because they scored below 75 on the IQ tests used by the school district. The evidence showed that when the children

were given the same tests by black psychologists who made

... special attempts to establish rapport with the test takers, to overcome the plaintiffs’ defeatism and easy distraction, to word items in terms more consistent with the plaintiffs’ cultural background, and to give credit for nonstandard answers which nevertheless showed an intelligent approach to problems in the context of that background, [all the plaintiffs] scored significantly above the cut-off point of 75.¹⁸

Again, there was statistical evidence showing that a disproportionately high number of children from the plaintiff class — black students — were in the school district’s EMR classes. But the statute enacted after *Diana* was in effect, and the schools maintained that IQ test results were only one of a number of bases for determining whether a student was to be placed in an EMR class. The court found, however, that IQ test scores remained “a most important consideration in making assignments to EMR classes.”¹⁹ It issued an injunction prohibiting the school authorities from placing black students in EMR classes “on the basis of criteria which place primary reliance on the results of IQ tests as they are currently administered,” if the classes that resulted were racially imbalanced.²⁰

Group IQ, Readiness, Aptitude Tests

Group IQ and reading readiness tests are generally given to children early in their schooling, at the end of kindergarten or the beginning of first grade. The IQ tests are usually given again, perhaps several times, during the child’s school career. In some schools the scores on group IQ tests are used to

place children in EMR classes.²¹ Scores on reading readiness tests, which are also group tests, are used to determine whether children can benefit from formal reading instruction. On the basis of test score, the child is placed in one of several groups; the lowest group is usually not given formal instruction in reading.²² In some instances the group may be the equivalent of a "track," or curriculum level designed to accommodate children of similar ability. Group IQ tests may also play a role in assigning children to tracks.²³ These uses of reading readiness and group IQ tests have been addressed in two important cases.

Judge Skelly Wright's opinion in *Hobson v. Hansen* remains the most thorough judicial investigation of the use of standardized tests to assign students to tracks.²⁴ The case dealt, among other issues, with the effects of the tracking system employed by the District of Columbia schools, a system under which students were placed in different curriculum levels "according to the school's assessment of each student's ability to learn."²⁵ This assessment was made through the use of a number of standardized tests given at different grade levels. A reading readiness test was given prior to entry into first grade. A child's score on this test determined whether he or she was placed in the first grade or in "junior primary," a class between kindergarten and the first grade, where the student's skills were ostensibly to be brought up to regular first-grade level. Thereafter, group aptitude tests were given, at a minimum, in the fourth, sixth, ninth, and eleventh grades. The schools relied heavily on the scores from these tests to place the students, on the elementary and junior high school levels, in one of three tracks - Honors, General, and Special Academic (Basic) - and on the senior level, in one of four tracks - Honors, Regular, General, and Special Academic. Although only one of the tests produced an IQ score (the Otis Quick-Scoring Mental Ability Test; Beta, given in sixth grade), the IQ level was one of the criteria for placement in all the tracks (with the exception of Honors).

The court found that the opportunities provided to children assigned to the lower tracks were "decidedly inferior" to those for students in the upper tracks. Further, based on exhaustive statistical evidence, it found that

Those who are being consigned to the lower tracks are the poor and the Negroes, whereas the upper tracks are the provinces of the more affluent and the whites.²⁶

The court held that this phenomenon was directly linked to the use of apti-

tude tests standardized on a white middle-class group of students, tests that produced "inaccurate and misleading test scores when given to lower-class and Negro students."²⁷

Because Judge Wright found that the tracking system in practice discriminated against disadvantaged children, particularly blacks, he ordered it abolished. He did so in large part because he found that the basic premise of the tracking system - the assumption that innate ability can be reliably determined - had not been sustained.²⁸ Judge Wright's order effectively invalidated the use of all reading readiness, intelligence, and aptitude tests for the purpose of tracking. The Court of Appeals for the District of Columbia Circuit made it possible for the schools to revive the tests, however. On appeal, the court affirmed Judge Wright's decision but limited his abolition of tracking to the tracking system as it existed at the time of his decree,²⁹ thus permitting the Board of Education to reinstate ability grouping in some other form. The appeals court decision did not, however, permit the use of tests that produce racially discriminatory results. Whether this approach will survive *Washington v. Davis*³⁰ cannot yet be predicted.

In *Moses v. Washington Parish School Board*³¹ a federal district court in Louisiana was faced with a recently desegregated elementary school in which students were being assigned to homogeneous ability groups based on their scores on standardized tests. In the first grade children were grouped on one of four levels according to their scores on a group IQ test (the Primary Mental Abilities Test) and on the Ginn Reading Readiness Test. Other than for these four groups, achievement test scores were used to place the students. As a result of these practices, predictable patterns emerged. The court heard testimony as to the reasons for these patterns, as well as to the effects on minority groups of homogeneous grouping. Although it expressed agreement with the plaintiffs' position, the court did not rule on the validity of the tests themselves. Instead it relied on a rule evolved in the wake of desegregation cases in the Fifth Circuit to the effect that testing will not be permitted as the basis for student assignments in recently desegregated schools.³² In *Lemon v. Bossier Parish School Board*³³ the appeals court had ruled that such a school system would have to operate as a unitary system for several years before testing could be used. The rationale behind this ruling was that black children had received an inferior education in segregated schools and would therefore perform less well than white students on tests.

Standardized Achievement Tests

Scores on standardized achievement tests given in the public schools are used both for internal and external purposes.³⁴ They may be used internally to ascertain whether a student's performance meets academic standards for promotion or graduation. Similarly, they may be used to determine what track a student should be placed in or whether he or she should be permitted to take a special "honors" course. Increasingly, however, they are also being used for purposes external to the student, most notably for assessment of a school or a particular teacher.

Internal Purpose - Tracking: Some of the courts that have considered the use of scores on reading readiness, group IQ, and aptitude tests in tracking students have also dealt with the use of achievement test scores for that purpose. In *Hobson* plaintiffs did not attack the use of achievement test scores, "except to the extent test scores tend to reinforce already erroneous decisions" based on reading readiness, group IQ, and aptitude tests.³⁵ Thus Judge Wright did not have to rule on the use of achievement tests in tracking. However, his analysis of aptitude tests suggests that they are very different from achievement tests, since in reality the former "test a student's present level of learning in certain skills."³⁶ It is thus doubtful that reliance on achievement test scores alone would have saved the District of Columbia schools' tracking system.

In *Moses* the use of achievement test scores was under attack, along with the use of scores on "intelligence" and reading readiness tests. The achievement tests that had been used for tracking were the S.R.A. Achievement Test and the Ginn Reading Achievement Test. Essentially, grouping was based entirely on reading achievement and ability, whereas expert witnesses agreed that 1) grouping for all subjects on the basis of test scores in one subject can often retard the child's progress in other subject areas,³⁷ and 2) black students tend to score lower on reading and verbal skills than on math and science tests. One of the ways in which achievement test scores can be misused is apparent in this case. The court did not rule on the validity of the tests, but it was undoubtedly apparent that scores on achievement tests were just as suspect in the context of recently desegregated schools as scores on group IQ tests. The court relied on one of the cases that invalidated the use of testing in these situations, *Lemon v. Bossier Parish School Board*,³⁸ which involved the use of scores on the California Achievement Test to assign children to one of two schools.

Teacher and School Accountability: As individuals and citizen groups have pressed the schools to justify their curricula and methodology, legislatures have turned to the use of standardized tests to ascertain how well students are performing in one school as compared with others throughout a given state. Laws requiring that such tests be given in certain grades have been passed in many states.³⁹ Teachers and administrators tend to oppose the use of scores on these tests as an evaluative device, arguing that many factors other than curricula and teacher performance are responsible for the scores. In New Jersey the statewide teachers association has sought unsuccessfully to enjoin publication of test results.⁴⁰

In Iowa the employment of a teacher was terminated on the ground that the low scholastic accomplishment of her students, as measured by the Iowa Tests of Basic Skills and Iowa Tests of Educational Development, indicated her professional incompetence. In *Scheelhaase v. Woodbury Central Community School District*⁴¹ a federal district court held that the teacher had been denied due process of law, concluding that the reasons for termination must have a basis in fact and that the test scores of her students were not a valid basis for determining her competence. However, this ruling was reversed by the Eighth Circuit Court of Appeals, which ordered the district court to dismiss the case on the ground that no constitutional right was involved. The court held that it had no power over the administration of the internal affairs of the school district.

Such matters as the competence of teachers and the standards of its measurement are not, without more, matters of constitutional dimension. They are peculiarly appropriate to state and local administration.⁴²

The plaintiff in *Scheelhaase* did not allege that the defendant school board had used the test scores to discriminate against her on the basis of her race, ethnic background, or sex. But teachers have successfully challenged the racially discriminatory use of scores on tests that they were required to take.⁴³ Thus members of minority groups who can prove that the test scores of their students are being used discriminatorily to terminate their employment are likely to be successful in court. *Scheelhaase* is probably not the last word from the judiciary on this use of achievement test scores.

An unusual approach to the use of pupil test scores for accountability purposes is represented by *Serna v. Portales Municipal Schools*.⁴⁴ In this class action the Spanish-speaking plaintiffs used the scores from group IQ tests given to first-graders and fifth-graders in the dis-

trict to show that they were being denied equal educational opportunity. The student population of one of the four elementary schools, Lindsey, was heavily Spanish-speaking, whereas students at the other three schools were primarily Anglo-American. Test scores of the fifth-graders at Lindsey were, on the average, 8% to 13% lower than fifth-grade scores from the other elementary schools. Of the first graders in the four schools, those at Lindsey scored lowest.

Although no specific figures were given, evidence based on reading tests and other achievement tests was also admitted. Expert testimony attributed the test score differentials to language problems. The court concluded that the test performance of the children at Lindsey was inadequate and that the school district was responsible. Holding that the "promulgation and institution of a program... which ignores the needs of... [Hispanic] students does constitute state action" and is a violation of the Fourteenth Amendment, the court directed the school administrators to reassess and enlarge the program for Spanish-speaking children in all the schools.⁴⁵

Nonstandardized Tests

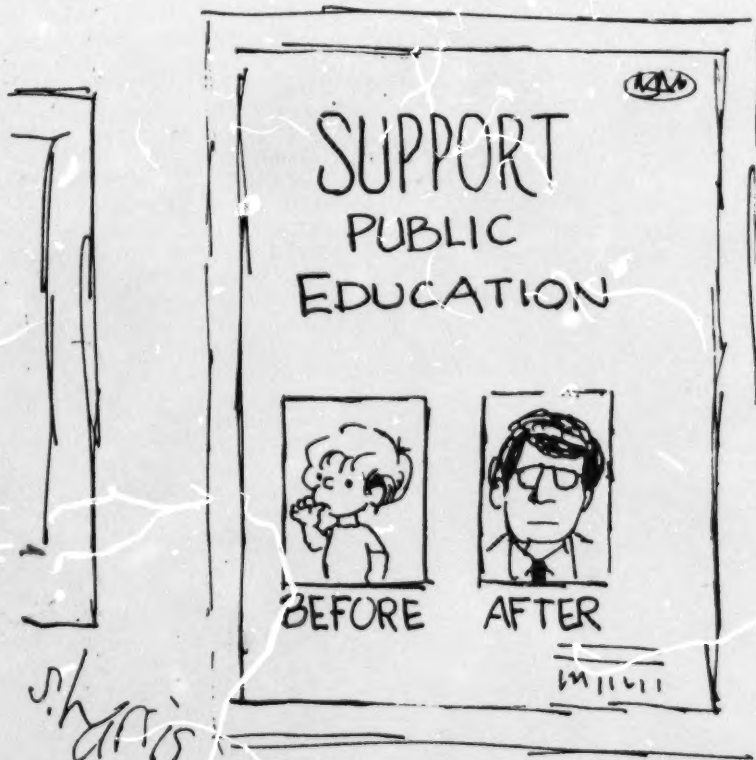
Although tests prepared by teachers or institutions are used much more frequently than standardized tests at all grade levels, they have seldom been

challenged in the courts. Recent attempts to do so have occurred where the use of such tests has an important impact on an individual's future and where discrimination on the basis of sex or race is alleged.

Admission to Specialized School: In *Bray v. Lee*⁴⁶ the plaintiffs were seventh-grade female students who had taken an examination for admission to the Boston Girls' Latin School. Because Boston Boys' Latin School seated twice as many students as did the Girls' Latin School, fewer seventh-grade places were available to girls than to boys. The school authorities solved this problem by creating a higher cutoff point in the test scores for girls than for boys. Only girls who scored 134 or more of 200 possible points were admitted, whereas boys who scored 120 were able to enter. Without analyzing the constitutional right involved in any depth, a federal district court held that

The use of separate and different standards to evaluate the examination results to determine the admissibility of boys and girls to the Boston Latin Schools constitutes a violation of the equal protection clause of the Fourteenth Amendment, the plain effect of which is to prohibit prejudicial disparities before the law. This means prejudicial disparities between all citizens, including women or girls.⁴⁷

A subsequent California case, *Berkelman v. San Francisco Unified School*



District,⁴⁸ buttresses the decision in *Bray v. Lee*, although the use of test scores was not directly at issue. The *Berkelman* case involved students who were admitted to a specialized academic high school on the basis of their junior high school grade-point averages in four college preparatory subjects. (These averages must, of course, have been at least partially the result of numerous teacher-prepared tests.) In order to equalize the number of male and female students at the school, the district set a higher cutoff point for girls than for boys. The court held this practice to be a denial of equal protection to female students, since the district had not proved that "a balance of the sexes furthers the goal of better academic education."⁴⁹ Although the court rested its holding on the Fourteenth Amendment, it noted that the differential admission standards would have constituted an illegal discrimination under Title IX of the Education Amendments of 1972 (20 U.S.C. §1681) had they been applied in the admission of students to advanced courses within a single school. The court analyzed the congressional intent behind the statute and found that it bore on the situation in this case.

The plaintiffs in *Berkelman* also alleged that use of grade-point averages for admission purposes discriminated against black, Spanish-speaking, and low-income students. In dealing with this issue, the court used reasoning similar to that in *Hobson v. Hansen*, but concluded that the use of a specialized high school does not constitute "tracking." It pointed out that students denied admission to the specialized school were not denied a "quality education," since they could attend a comprehensive high school where college preparatory courses were available. Further,

Unlike a "tracking" system in which the challenged classifications are "predictive" and isolate students of "less promising" ability, the classification here is based upon past achievement impartially measured.⁵⁰

Issue could be taken with this conclusion; as Judge Wright's analysis in *Hobson* implied, achievement tests may, in fact, assess the same skills that aptitude tests evaluate and thus may not be as impartial as they seem. But the court in *Berkelman* did not look behind the grade-point averages to the tests on which they were based.

Graduation Requirements: Unlike *Bray* and *Berkelman*, a decision of the New Jersey commissioner of education involving sex discrimination did not rely on the Fourteenth Amendment. The petitioner in this case, *Pinkham v. Board of Education of South River*,⁵¹ chal-

lenged the policy of a local school board concerning the use of test scores in physical education classes. Under this policy only female students were given written examinations in this subject, whereas male students were graded on the basis of teacher records of their participation and attitude and tests of their physical skills, without a written test. The petitioner failed physical education in her senior year and thus was denied a diploma at graduation. After a hearing to determine the facts, the hearing examiner found that she would have passed if her grades on the written tests had not been averaged with her grades for participation, attitude, and physical skills.

The commissioner held that the case was moot, since the student had subsequently been awarded a diploma after attending summer school. He nevertheless went on to state that the school board had acted inappropriately and beyond its authority in mandating written tests for female students only. According to the commissioner, local boards of education can issue guidelines concerning assessment programs, but it is teachers who have discretion to develop specific procedures for assessing the progress of pupils in their courses. Further, the commissioner concluded that an assessment program created by a teacher is not *per se* discriminatory because it is used for students of one sex in one class and not for those of the opposite sex in another class. Unless it can be shown that such a testing program is an abuse of the teacher's discretion, the commissioner will not intervene.

The commissioner's decision may ultimately have little bearing on testing practices such as the one challenged in this case, since the use of separate classes for male and female students may no longer be permitted under Title IX of the Education Amendments of 1972, as well as under a New Jersey statute.⁵² And the conclusion regarding teachers' discretion over testing programs may simply reflect the reluctance of quasi-judicial administrative officers, as well as courts, to interfere with those they regard as having expertise in a specialized field. Further, since this case did not involve teacher discretion, the commissioner may have considered it unnecessary to discuss the relationship between such discretion and the constitutional rights of students. When a teacher's exercise of discretion invades a constitutional right, however, courts are not likely to hesitate to intervene.

Conclusion

Important as are the cases involving equal protection challenges to racial or sex discrimination in standardized test-

ing, the *PARC* and *Mills* cases⁵³ may point the way to a broader attack on pupil testing. The plaintiffs in these cases claimed that they were denied due process of law: They did not have to show that they belonged to a class that was being discriminated against but only that the practices they complained of were irrational and hence fundamentally unfair to them and that they were being deprived of a liberty or property interest by the use of the tests.

The plaintiffs' evidence in *PARC* demonstrated that the assumption underlying the practice of excluding mentally retarded children from school—that they could not benefit from education—was unfounded and that the exclusion denied them a constitutionally protected interest. The same conclusion applied in *Mills*, but there the court emphasized another consideration: the stigmatization of children who are assigned to special education classes. This factor was important to its holding that procedural due process must be extended before children are placed in these classes. It cited the U.S. Supreme Court's decision in *Wisconsin v. Constantineau*,⁵⁴ where the Court demonstrated its sensitivity to official action that stigmatizes individuals.

The stigma connected with placement in low tracks as well as in special education classes has been generally recognized. Where placement in low tracks is based on inaccurate measures of ability, it would seem that pupils are deprived of the education to which they are entitled, just as they are deprived when they are placed in special education classes as the result of misclassification. Thus future challenges to all forms of tracking as well as to special education placements may be based upon the constitutional guarantee of due process of law. The consequences of such an approach may well prove to be far broader, in terms of the future uses of pupil testing in the schools, than the implications of the equal protection approach that has dominated most of the testing cases decided thus far.

Both approaches provide a clear message to those who construct and use pupil tests: They must exercise greater care and sensitivity in evaluating the educational potential and needs of students and in acting upon those evaluations. If they do not do so on their own initiative, the courts may be available to impose such a requirement.

1. The earliest attacks on the use of test scores came when previously segregated school districts attempted to avoid the impact of desegregation orders by assigning students to schools or classes on the basis of test scores. A line of cases in the Fifth Circuit Court of Appeals invalidated this use of testing. (E.g., *Singleton v. Jackson Municipal Separate School District*, 419 F.2d 1211 (5th

- Cir. 1969), *rev'd in part on other grounds*, 396 U.S. 290 (1970); *Moses v. Washington Parish School Board*, 330 F. Supp. 1340 (E.D. La. 1971), *aff'd*, 456 F.2d 1285 (5th Cir. 1972) (per curiam), *cert. denied*, 409 U.S. 1013 (1972). Other testing cases arose where the uses to which test scores were put resulted in racial imbalance or virtual segregation in particular classes or curricula. (E.g., *Larry P. v. Riles*, 343 F. Supp. 1306 (N.D. Cal. 1972), *aff'd*, 502 F.2d 963 (9th Cir. 1974); *Hobson v. Hansen*, 269 F. Supp. 401 (D.D.C. 1967), *aff'd sub nom. Smuck v. Hobson*, 408 F.2d 175 (D.C. Cir. 1969).
2. This support for local decisions has taken the form either of unwillingness to supersede such decisions after reviewing the merits of the particular case [e.g., *Hortonville Joint School District No. 1 v. Hortonville Education Association*, 426 U.S. 482 (1976)], or an unwillingness based on procedural grounds even to entertain the challenge [see, e.g., *Askin, Limiting Access to Federal Courts*, 33 *Guild Prac.* 130 (Fall, 1976)].
3. In *Washington v. Davis*, 426 U.S. 229 (1976), the U.S. Supreme Court held that under the equal protection clause of the Fourteenth Amendment evidence that official action had a racially disproportionate impact would not render the action unconstitutional. Rather, the court would have to be satisfied of a racially discriminatory purpose. Although the full import of this decision is as yet unclear, in part because discriminatory purpose may be proved circumstantially, it has been viewed by many commentators as a retreat from the judicial sensitivity to racial equality.
4. Aptitude tests are used for predictive purposes; they purport to indicate how well a given student will perform future academic tasks. Achievement tests, on the other hand, purport to assess what the student has already learned. In fact, both types of tests measure achievement; in the case of aptitude tests, what is measured is "a kind of general academic achievement in standard English." George Weber, "Uses and Abuses of Standardized Testing," *Occasional Paper No. 22*, Council for Basic Education, 1974.
5. *San Antonio Independent School District v. Rodriguez*, 411 U.S. 1 (1973). Under several state constitutions, however, education has been found to be a "fundamental interest." See, e.g., *Serrano v. Priest*, 18 Cal. 3d, 728, 135 Cal. Rptr. 345, 557 P.2d 929 (1976), *cert. denied sub nom. Cloves v. Serrano*, 45 U.S.L.W. 3822 (June 21, 1977). Moreover, a federal court decision has suggested that the U.S. Constitution's equal protection clause does extend to the right to a minimally adequate education. *Fialkowski v. Shapp*, 405 F. Supp. 946 (E.D. Pa. 1975).
6. Such test scores may also be used to postpone entrance into school for a child who is rated immature.
7. 343 F. Supp. 279, 282 (E.D. Pa. 1972).
8. 348 F. Supp. 866 (D.D.C. 1972).
9. In *Cuyahoga County Association for Retarded Children v. Essex*, 411 F. Supp. 46 (N.D. Ohio 1976), the court suggested that it would reach the same result given sufficient evidence of exclusion on the basis of IQ alone. It refused, however, to hold unconstitutional a statute permitting exclusion on the ground that a child is "incapable of profiting substantially from further instruction." Cf. *Taylor v. Maryland School for the Blind*, 409 F. Supp. 148 (D. Md.), *aff'd*, 542 F.2d 1169 (4th Cir. 1976).
10. For an assessment of the effectiveness of such hearings, see Kirp, Buss, and Kuriloff, *The Project on Student Classification and the Law*, 62 *Calif. L. Rev.* 40 (1974).
11. See note 9, *supra*.
12. 60 F.R.D. 135 (E.D. La. 1973).
13. Civ. No. C-7037 RFR (N.D. Cal., filed January, 1970).
14. Cal. Educ. Code 6902.06, .07, .085, .095 (West. Supp. 1972). A case similar to *Diana, Covarrubias v. San Diego Unified School District*, Civ. No. 70-394-S (S.D. Cal., filed Aug. 21, 1972), was settled on the basis of these statutes in their then proposed form, although the complaint alleged racial as well as linguistic bias in the tests. See discussion of this and similar cases in Note, *The Legal Implications of Cultural Bias in the Intelligence Testing of Disadvantaged Schoolchildren*, 61 *Geo. L.J.* 1027 (1972-73).
15. *Guadalupe Org., Inc. v. Tempe School District No. 3*, Civ. No. 71-435 (D. Ariz., filed May 9, 1972).
16. 35 Fed. Reg. 11,555 (1970).
17. See note 1, *supra*.
18. 343 F. Supp. at 1308. The plaintiffs showed an average gain of 26.5 points when retested.
19. *Id.* at 1313. The court relied on evidence that IQ scores influence teacher evaluation of student ability, citing Robert Rosenthal and Lenore Jacobson, *Pygmalion in the Classroom* (New York: Holt, Rinehart and Winston, 1968) and the Examiner's Manual for the Lorge-Thomdike group IQ test.
20. 34th F. Supp. at 1315. *Cope and v. School Board of City of Portsmouth, Va.*, 464 F.2d 932 (4th Cir. 1972), was a desegregation case in which plaintiffs contested the establishment of specialized schools for mentally retarded children and children with learning problems, where 75% of the children assigned were black. Unlike the plaintiffs in *Larry P.*, the plaintiffs here offered no evidence concerning the tests on which assignments were based. The court held that racial imbalance was not of itself a sufficient reason to discontinue the schools. However, it remanded the case to the district court to ascertain whether the tests were "relevant, reliable, and free of discrimination." 464 F.2d at 934.
21. E.g., *Hobson v. Hansen*, fn. 1, *supra*.
22. See Weber, fn. 4, *supra*.
23. Ronald J. Samuda, "Racial Discrimination Through Mental Testing: A Social Critic's Point of View," *IRCD Bulletin*, No. 42, May, 1973, at 6.
24. See note 1, *supra*.
25. 269 F. Supp. at 442.
26. *Id.* at 511.
27. *Id.* at 512.
28. Because the test scores were "inaccurate," lower-class and black students were actually being classified "according to their socioeconomic or racial status, or—more precisely—according to environmental and psychological factors which have nothing to do with innate ability." *Id.*
29. *Smuck v. Hobson*, 408 F.2d 175, 189 (D.C. Cir. 1969).
30. See note 3, *supra*.
31. See note 1, *supra*.
32. Where a court in another judicial circuit found that segregation was increased by ability grouping based in part on scores on admittedly racially discriminatory achievement and "intelligence" tests, it nonetheless refused to rule on the issue because of "the delicate educational nature of decisions concerning grouping." *Spangler v. Pasadena City Board of Education*, 311 F. Supp. 501 (C.D. Calif. 1970). The court struck down other discriminatory practices, however.
33. 444 F.2d 1400 (5th Cir. 1971) (per curiam).
34. See Note, *Legal Implications of the Use of Standardized Ability Tests in Employment and Education*, 68 *Colum. L. Rev.* 691 (1968); 69 *Colum. L. Rev.* 608 (1969).
35. 269 F. Supp. at 477.
36. *Id.* at 478.
37. 330 F. Supp. at 1343.
38. See note 33, *supra*.
39. See generally Phyllis Hawthorne, *Legislation by the States: Accountability and Assessment in Education* (Denver: Cooperative Accountability Project, 1973). Even more recently, states have begun to adopt minimum pupil performance standards, usually in the basic skills areas. For a state-by-state survey see Education Commission of the States, *Update VI: Minimal Competency Testing*, June 1, 1977.
40. *Chappell v. Commissioner of Education*, Civ. No. C-961-72 (Super. Ct. Ch. Div. N.J. 1972), *aff'd*, 135 N.J. Super. 565, 343 A.2d 811 (App. Div. 1975), *certif. denied*, 69 N.J. 84, 351 A.2d 12 (1975).
41. 349 F. Supp. 988 (D. Iowa 1972), *rev'd*, 488 F.2d 237 (8th Cir. 1973), *cert. denied*, 417 U.S. 969 (1974). Interestingly, in a contemporaneous case involving the dismissal of a nontenured teacher, the teacher sought to prove his subject-matter competence by reference to his students' improved scores on standardized tests. *Dathe v. Wildrose School District*, 217 N.W.2d 781, 784 (N. Dak. 1974). See also *McCrum v. Board of Education of the New York City School District*, 396 N.Y.S. 2d 691 (App. Div. 2d Dept. 1977).
42. 488 F.2d at 243, 244.
43. See, e.g., *Baker v. Columbus Municipal Separate School District*, 329 F. Supp. 706 (N.D. Miss. 1971), *aff'd*, 462 F.2d 1112 (5th Cir. 1972); *Armstead v. Starkville Municipal Separate School District*, 325 F. Supp. 560 (N.D. Miss. 1971), *modified*, 461 F.2d 276 (5th Cir. 1972). Supervisory personnel also mounted a successful challenge to such examinations: *Chance v. Board of Examiners*, 330 F. Supp. 203 (S.D.N.Y. 1971), *aff'd*, 458 F.2d 1167 (2d Cir. 1972). A suit similar to *Chance* instituted on behalf of teachers is now pending: *Rubinos v. Board of Examiners*, Civ. No. 74-2240 (S.D.N.Y., filed May 23, 1974).
44. 351 F. Supp. 1279 (D.N.M. 1972), *aff'd*, 499 F.2d 1147 (10th Cir. 1974).
45. 351 F. Supp. at 1283. In *Lau v. Nichols*, 413 U.S. 189 (1973), the U.S. Supreme Court held that Chinese-American children have a statutory right to instruction designed to rectify their language deficiency under §601 of the Civil Rights Act of 1964, 42 U.S.C. §2000 (d). The Court found it unnecessary to reach the constitutional issue.
46. 337 F. Supp. 934 (D. Mass. 1972).
47. *Id.* at 937.
48. 501 F.2d 1264 (9th Cir. 1974).
49. *Id.* at 1269.
50. *Id.* at 1268.
51. 1974 S.L.D. 1103 (N.J. Commissioner of Educ.).
52. N.J.S.A. 18A:36-20. Recently, however, the U.S. Supreme Court affirmed, by an evenly divided court, a court of appeals decision validating sex-separated academic high schools in Philadelphia on the grounds that attendance at either of the schools was voluntary and that the educational opportunities offered were substantially equal. *Vorchheimer v. School District of Philadelphia*, 400 F. Supp. 326 (E.D. Pa. 1975), *rev'd*, 532 F.2d 880 (3d Cir. 1976), *aff'd*, 97 S. Ct. 1571 (1977) (per curiam).
53. See notes 7 and 8, *supra*.
54. 400 U.S. 433 (1971). But compare *Paul v. Davis*, 424 U.S. 693 (1976), where the U.S. Supreme Court ruled that neither a liberty nor property interest under the due process clause was implicated by a police chief's distribution of a flyer that damaged an individual's reputation. □

Apperlix GT-E

"A Reassessment of Racial Balance Remedies - I"

A Reassessment of Racial Balance Remedies — I.

by Derrick A. Bell, Jr.

We need a redefinition of integration so as to make it more culturally democratic and thus more educationally effective. This is Mr. Bell's attempt to begin that redefinition.

In my view, based on more than 20 years of litigating and writing about school desegregation issues, the continuing commitment of private and government civil rights groups to racial balance is obsolete policy. As the major method of obtaining for black children the "equal educational opportunity" guaranteed them by the 26-year-old Supreme Court decision in *Brown v. Board of Education*, it also reflects a wasteful, dangerous, and demeaning refusal to consider alternative remedies at a time when racially balanced schools that are stable and educationally effective are virtually impossible in many communities.

Reliance on racial balance is wasteful because it deprives courts and government

civil rights agencies of the flexibility needed to formulate viable educational remedies. The absence of such alternative remedies condemns thousands of black children to remain in racially isolated and educationally bankrupt schools. Thousands of others are bused to schools miles from their homes in total disregard of the expressed preferences of their parents.

Continuing pressure for racial balance under all conditions, regardless of its cost and disruptive potential, and regardless of the fact that educational benefits to be obtained are unproven, is dangerous. Such pressure is slowly eroding the judicial support for school desegregation built up over the years. Courts are increasingly reluctant to approve desegregation plans that call for great expenditures of money, time, and effort, and are growing increasingly concerned about what one judge

called the "frustration of innocent Americans who scrape and save money to buy a home in a nice residential neighborhood, near a public school . . . [and] find their plans have been destroyed by the judgment of a federal court."

Finally, the insistence on racially balancing every public school that is black perpetuates the demeaning and unproven assumption that blacks must have a majority-white presence in order either to teach or to learn effectively. This assumption mars the potential psychological benefit of education for blacks by limiting the definition of "integrated schools" to those that are predominantly white. More important, it casts blacks in the role of subordinates in every aspect of the public school process, enabling school systems to boast that they have complied with *Brown* while effectively relegating black children

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“... [T]he outer limits of judicial authority to order
school desegregation involving long-distance transportation
have already been reached.”

to a status that all too frequently is “integrated and unequal.”

Reliance on racial balance and busing as the chief tools for implementing the *Brown* decision by virtually every legal agency with sufficient legal and financial resources to represent the educational interests of black and other minority-group students is questionable on grounds of: 1) historical precedent, 2) parental priorities, and 3) educational expertise.

Before reviewing each of these areas, it is appropriate — even necessary — to respond to the charge that any divergence from or criticism of racial balance policies is antithetical to the interests of black people and ammunition for racists who wish to overturn the *Brown* decision and reestablish compulsory segregated schools.

I agree with Columbia University Professor Charles Hamilton, who stated, “Black people who once worked for desegregated schools but who no longer do so are viewed as having given up the fight, as having joined the white racists, and, indeed, as having become black racists and advocates of ‘Black Power separatism.’” With Hamilton, I would respond that the seeming similarity of the suggestions contained in this article to the views of some white segregationists whose ultimate goal is to deny educational opportunity to black people is an appearance that is unavoidable. There is a world of difference, though, between “separate but equal” schools — established over the objection of blacks and maintained to insure the inferior character of the education they provided — and institutions designed for and responsive to the very special educational needs of black children who either by reason of parental choice or legal barriers are unable to attend desegregated schools.

Historical Precedent

For at least 175 years before the Supreme Court’s opinion in *Brown*, black parents sought good schools for their children in the face of continuing white opposition. Because of their minority status and their lack of power, blacks have used both separate and integrated schools in seeking this goal. For example, the current crisis over the desegregation of Boston’s public schools did not begin in the mid-1960s with the passage of the state’s “Racial Imbalance Act” but in 1787, when Prince Hall, black Revolutionary War veteran, petitioned the legislature to grant blacks their own educational facilities because, in his words, they “now receive no benefit from the free schools.” The Boston request was repeated throughout New England, where

most local school committees assigned black children to separate institutions when they did not exclude them from public schools altogether. Those schools established for blacks were generally so underfunded and inadequate that black parents in increasing numbers sought admission to white schools for their children. These efforts were generally unsuccessful, except in areas where the exclusion of blacks from the white schools would deprive them of a public education altogether. In some cases of this kind, blacks were ordered to be admitted to white schools. Where black schools existed, however, the great weight of authority approved segregation and inequality. Both concepts were given tacit approval by the Supreme Court’s “separate but equal” doctrine in the 1896 decision, *Plessy v. Ferguson*.

For a half century blacks and their legal representatives sought without much success to give meaning to the “equal” part of the *Plessy* standard. This experience led to the conclusion that black children, with limited exceptions, would not receive an education equal to that provided whites unless they attended the same schools. This conclusion, followed by Herculean efforts and propitious political circumstances, resulted in the 1954 *Brown* decision. The removal of legal protection for racial discrimination spurred blacks to efforts that have resulted in major educational gains.

However, despite some progress, a substantial percentage of black children were still attending predominantly black schools a quarter century after *Brown*, and there is a large, if unascertainable, number of black children whose enrollment in integrated schools has not proven educationally beneficial. More progress can and should be made in desegregating public school systems in the North and South. But the continuing emigration of whites from the cities to the suburbs while blacks emigrate from the country to the city indicates that the number of predominantly black urban school systems will continue to grow. Federal courts, in the face of rising public and political opposition, have continued to give very strong support to minority litigants in school cases, but there is growing concern that the outer limits of judicial authority to order school desegregation involving long-distance transportation have already been reached.

Courts will listen to arguments for educational remedies. They have done so in the context of traditional school desegregation suits, and they have ruled that “educational components” are an accept-

able substitute for racial balance in Detroit and Atlanta. Indeed, racial balance plans received reluctant approval because, in most cases, the courts never hear about educational remedies from either school boards or civil rights attorneys. This silence does not reflect the interests of black parents.

Parental Priorities

In view of the serious obstacles to further school desegregation, particularly in large urban areas, what is the source of the mandate under which civil rights groups have continued to push for racial balance remedies? Obviously, no public pool of black parental interests is feasible, and I would not argue that civil rights leaders are obligated to base their policies on the responses of this or that percentage of the black population on any given issue. Moreover, there are no doubt many black parents, particularly those in smaller urban or rural communities, who continue to favor racial balance remedies as the best hope for obtaining high-quality schools for their children.

Their choice is understandable if misguided. Two and one-half decades of desegregation efforts have not ended our society’s predilection to favor schools where whites attend. The advantages of interaction for both black and white children are great. And even with its implicit racial insult and the educational shortchanging that black children often receive in integrated settings, the concept of integrated schools is attractive and in keeping with America’s ideals.

But ideals will not alter the fact that black children need top-quality schools now, and a growing percentage of their number reside in urban school districts where the chances for meaningful desegregation before the *Brown* decision doubles its age are increasingly bleak. These realities justify at least serious consideration of alternative means of securing *Brown*’s promise of “equal educational opportunity.” Middle-class black parents have options in determining where their children attend school. We in policy-making positions should not assume that the poor have concerns for their children’s education that are different from our own.

Several years ago, former UN Ambassador Andrew Young reported that his young child had been assigned to a mainly white school with ill-trained teachers and a high percentage of lower-class white children. There was a predominantly black school located closer to Young’s home, attended by a large percentage of middle-class black children. The school had black

“... [E]ffectively run schools, though mainly black, can be viewed as necessary steps toward a further stage of integration.”

leadership and was involved in a number of impressive educational programs. Young confessed that the situation posed a serious dilemma for him, but that “when I found that my belief in integration was posing a harm to the educational future of my child, I decided that my child’s education was more important than my devotion to integration.” Young’s decision to withdraw his child from the integrated school and place her in the predominantly black school closer to his home is a decision, I suggest, that the vast majority of black parents would follow if placed in a similar situation.

The fact is that, following the *Brown* decision, virtually all blacks saw a desegregated education as the best hope for their children. But the long-delayed implementation of the decision, the continuing hostility of the society to its implementation, and the less-than-impressive achievement statistics attributed to black students in desegregated settings — all have resulted in a restructuring of parental priorities to focus first and foremost on educational quality.

Educational Expertise

It may never be known how much the social science testimony concerning the adverse effects of segregation on black children contributed to the Supreme Court’s decision to invalidate the “separate but equal” standard as it applied to public schools. It is certain, though, that the refusal of civil rights groups to consider alternatives to school desegregation cannot be based on research data proving that racially balanced schools provide clear educational benefit for black children. Efforts to ascertain this benefit have been made. But the available social science research fails even to show a relationship between conventional resources and achievement, and efforts to ascertain whether desegregation has either a positive or a negative influence have led to inconsistent conclusions or none at all. Therefore, a racial balance policy, whether voluntarily adopted or court ordered, is an insufficient and sometimes inappropriate response to the present inequity that characterizes public instruction for black children.

It is true that a large measure of contemporary racial balance strategy is based on the hope that black children will get what white children get if they go where the whites go. As Kenneth Clark has concluded: “It is not the presence of the white child per se that leads to a higher achievement for the Negro child who associates with him in class; it is the quality of the

education provided because the white child is there that makes the difference. . . .”

These are wise words, and they are an appropriate basis for school policy decisions in those instances where desegregation on the racial balance model is a reasonable possibility, and — just as important — where black parents who are aware of alternative methods choose this remedy. But the policy makers in civil rights groups recognize no exceptions. For them there can be no effective education in a racially isolated school. Integration through racial balance is the only possibility. The policy may well serve the virtue of consistency far better than it does the immediate educational needs of poor black children.

The tremendous effort to gain compliance with *Brown* has caused some to forget that black schools are not inferior simply because they are black. Rather, most are inferior because they have been seriously crippled, not just by generations of enforced segregation but by what Kenneth Clark has found is the significant correlation between a pattern of *deprivation* in ghetto schools and a pattern of *advantage* in white urban and suburban schools.

There are, as black educators in both public and private schools have shown, inherent educational advantages in black schools, particularly for poor ghetto blacks. Black first-graders from ghetto backgrounds with little prior contact with standard English are no less disadvantaged in schools insisting that they immediately learn to read standard English than are children from Chinese-speaking homes whom the Supreme Court recently found are entitled to bilingual or some other special instruction designed to overcome their English-language deficiency. Programs in effectively functioning black schools across the country have shown the educational wisdom of modeling schools in accordance with the needs of the students they serve.

Of course, socially induced educational problems can be overcome in integrated settings, but, as black educator Kenneth Haskins has pointed out, integrated schools consume an inordinate amount of energy insuring and reassuring whites that the presence of blacks in *their* schools will not lower school quality. Thus programs, curriculum, and personnel are selected with the interests and needs of white rather than black students receiving priority. Where the interests and needs diverge and resources are inadequate to serve both, black children will likely suffer.

In black schools, particularly where parents have learned the value of participating — and have been given the opportunity to participate — in school policy making, full attention can be given to the often specialized interests and educational needs of black children. Special school committee meetings are not required before pictures from *Ebony* can be posted or black dolls added to the kindergarten toy chest.

The learning potential in such structures is obvious to educators, if not to civil rights leaders with their eyes fixed on integration. But, as Mario Fantini said several years ago, effective black schools may further, not retard, the integration goal. “Desegregation refers,” he said, “to the physical mixing of black and white students; integration refers to humans connecting as equals.” Although agreeing on the goal of integration, Fantini argued that it is necessary for black and other minority groups to have a sense of cohesion and identity that can in part be achieved through the control of their own institutions. “Once blacks attain a status of potency,” Fantini predicted, “they will be in a better position to connect up with white society as equals rather than as ‘junior’ members.” Therefore, effectively run schools, though mainly black, can be viewed as necessary steps toward a further stage of integration.

Most courts do not want to abandon the goals of *Brown*, but they need help in fashioning remedies for past racial deprivation that offer real promise without the politically disruptive and educationally suspect plans that rely totally on balancing the races in each public school. To date, this help has not come from either the national civil rights groups or the U.S. government. I call on them to reassess their position, and for educational researchers to devote their efforts to studies of schools that are effectively serving black children. Surely, the impressive work in this area reported by Sara Lightfoot in her recent book, *Worlds Apart: Relationships Between Families and Schools*, should not remain the last word on this vitally important subject.

We need now, as Ronald Edmonds suggested several years ago, a redefinition of integration so as to make it more culturally democratic and thus more educationally effective. That redefinition will require the development of effective interaction for majority-black schools. A reassessment of racial balance remedies should reveal to professional educators what many black parents have always known about their children’s education. □

Appendix SE-A - Page 2
Special Education Inventory

Appendix SE-B - Page 3
Special Education Interview Guide

Appendix SE-C - Page 4
Special Education Response Percentages

Appendix SE-A

SPECIAL EDUCATION INVENTORY

We are seeking some information about Special Education Practices and Procedures at your school. DIRECTIONS. Circle a number to rate your school from 0 to 5. A rating of 0 shows that the statement is not true of your school. A rating of 5 means that the statement is very true of your school.

First, please, some information about you and the school.

- (A) Name of District _____ (B) Name of School _____
1. _____ Brandywine
2. _____ Christina
3. _____ Colonial
4. _____ Red Clay
- (C) School Grade Level 1. _____ Elementary
2. _____ Junior High
3. _____ High School
4. _____ Other (Specify) _____
- (D) Your position (e.g., Teacher, Student, Parent, Custodian, Administrator) _____
- (E) Race
1. _____ Native American Indian 3. _____ Asian 5. _____ White/Caucasian
2. _____ Black/Negro 4. _____ Hispanic 6. _____ Other (Specify) _____
- (F) Special Education Professional _____ Yes _____ No Explain _____
- (G) Special Education Parent _____ Yes _____ No Explain _____

- | | <u>Not</u> | <u>True</u> | | <u>True</u> | | | |
|-----|------------|-------------|---|-------------|---|---|---|
| | 0 | 1 | 2 | 3 | 4 | 5 | |
| 1. | 0 | 1 | 2 | 3 | 4 | 5 | A team of parents and professionals make decisions for placing students in Special Education programs. |
| 2. | 0 | 1 | 2 | 3 | 4 | 5 | Students are sometimes placed in Special Education classes who really don't deserve to be there. |
| 3. | 0 | 1 | 2 | 3 | 4 | 5 | I think that the full time Special Education class is the best placement for handicapped students. |
| 4. | 0 | 1 | 2 | 3 | 4 | 5 | Having to teach handicapped pupils place an unfair burden on the majority of classroom teachers. |
| 5. | 0 | 1 | 2 | 3 | 4 | 5 | If I were the parent of a child who had an emotional problem, I would want him to be in a regular classroom for most of the school day. |
| 6. | 0 | 1 | 2 | 3 | 4 | 5 | There is not enough time in a teacher's day to deal satisfactorily with the different needs of both average and handicapped pupils. |
| 7. | 0 | 1 | 2 | 3 | 4 | 5 | My school has made allowances for least restrictive environment alternatives. |
| 8. | 0 | 1 | 2 | 3 | 4 | 5 | There is a due process or appeals process for parents who question the school's decisions concerning their children. |
| 9. | 0 | 1 | 2 | 3 | 4 | 5 | The school district has carefully planned referral, evaluative, and observational processes for placing students in special education programs. |
| 10. | 0 | 1 | 2 | 3 | 4 | 5 | Students with discipline problems are placed in Special Education programs as a temporary solution. |
| 11. | 0 | 1 | 2 | 3 | 4 | 5 | There is an ongoing evaluation process for Special Education students to help determine when their needs have been met. |
| 12. | 0 | 1 | 2 | 3 | 4 | 5 | Parents and Special Education professionals have adequate input into all Special Education decisions. |

Appendix SE-B

SPECIAL EDUCATION INTERVIEW GUIDE

1. Does your school district have practices and procedures that go beyond those prescribed by PL 94-142? Explain.
2. What are the identification procedures in your school district?
 - (a) Referral/Consultation
 - (b) Observation
 - (c) Evaluation
 - (d) Child Study Team/M-Team
3. (a) Do you use IEP's?
 - (b) If yes, how and by whom are they written?
4. What are the placement procedures?
 - (a) district
 - (b) building
 - (c) classes
5. Do you perform an ongoing review process?
6. Is there a dismissal process?
7. Are there due process/appeals procedures? Explain.
8. What are the confidentiality procedures?
9. Do you have access to all of the child's records?
10. In general, how do you feel about your school district's Special Education program?

SPECIAL EDUCATION INVENTORY

We are seeking some information about Special Education Practices and Procedures at your school. **DIRECTIONS.** Circle a number to rate your school from 0 to 5. A rating of 0 shows that the statement is not true of your school. A rating of 5 means that the statement is very true of your school.

First, please, some information about you and the school.

- (A) Name of District _____ (B) Name of School _____
1. _____ Brandywine (C) School Grade Level 1. _____ Elementary
 2. _____ Christina 2. _____ Junior High
 3. _____ Colonial 3. _____ High School
 4. _____ Red Clay 4. _____ Other (Specify) _____
- (D) Your position (e.g., Teacher, Student, Parent, Custodian, Administrator) _____
- (E) Race
 1. _____ Native American Indian 3. _____ Asian 5. _____ White/Caucasian
 2. _____ Black/Negro 4. _____ Hispanic 6. _____ Other (Specify) _____
- (F) Special Education Professional _____ Yes _____ No Explain _____
- (G) Special Education Parent _____ Yes _____ No Explain _____

	Not True 0	1	2	3	4	True 5	No Response	Item	
W	3	0	1	4	23	67	3	1.	A team of parents and professionals make decisions for placing students in Special Education programs.
M	0	0	0	13	20	60	7		
W	50	20	11	5	6	3	9	2.	Students are sometimes placed in Special Education classes who really don't deserve to be there.
M	13	13	0	13	40	20	0		
W	36	15	10	17	10	6	5	3.	I think that the full time Special Education class is the best placement for handicapped students.
M	0	27	13	7	7	27	0		
W	27	22	23	12	10	5	1	4.	Having to teach handicapped pupils places an unfair burden on the majority of classroom teachers.
M	13	27	13	20	20	0	7		
W	24	27	15	15	5	8	5	5.	If I were the parent of a child who had an emotional problem, I would want him to be in a regular classroom for most of the school day.
M	13	20	13	27	13	7	7		
W	13	9	15	22	20	20	0	6.	There is not enough time in a teacher's day to deal satisfactorily with the different needs of both average and handicapped pupils.
M	0	27	27	13	7	20	7		
W	5	3	4	9	36	41	3	7.	My school has made allowances for least restrictive environment alternatives.
M	0	7	7	20	40	20	7		
W	0	0	1	3	8	88	0	8.	There is a due process or appeals process for parents who question the school's decisions concerning their children.
M	0	0	0	0	40	60	0		
W	0	0	1	0	15	83	0	9.	The school district has carefully planned referral, evaluative, and observational processes for placing students in special education programs.
M	0	0	0	7	33	60	0		
W	77	13	4	4	3	0	0	10.	Students with discipline problems are placed in Special Education programs as a temporary solution.
M	47	7	13	7	27	0	0		
W	1	0	1	4	18	76	0	11.	There is an ongoing evaluation process for Special Education students to help determine when their needs have been met.
M	0	0	0	13	33	47	7		
W	0	1	0	10	31	55	3	12.	Parents and Special Education professionals have adequate input into all Special Education decisions.
M	0	0	7	7	33	53	0		

W = whites N = 78

M = minorities combined N = 15

SE-4

Appendix SE-D

"Least Restrictive Environment Programs:
Why Are Some So Successful?"

LEAST RESTRICTIVE ENVIRONMENT PROGRAMS: WHY ARE SOME SO SUCCESSFUL?

*Marsha A. Schubert and
Harriet M. Glick*

As a result of federal legislation, there are now programs throughout the country designed to integrate handicapped individuals into programs with their non-handicapped peers. The intent of this legislation is to provide the best and the least restrictive environment possible for handicapped students—a highly commendable goal. The result, however, has been a hodge-podge of programs which vary from state to state, district to district, school to school, and even classroom to classroom. Some programs are highly successful, some are tolerated, some just adequately meet the demands of the law, and many are a constant source of irritation and frustration for all persons concerned. It follows, then, that the effects of such programs on their students also vary widely, regardless of the intent of the law. Why do some programs seem to be able to implement the concept of the least restrictive environment (LRE) so well, while others seem to constantly have difficulty?

In order to attempt to answer this question, a Wright State University team decided to visit programs which were considered successful for the purpose of determining those components which seemed to contribute to that success. Programs for these visits were recommended by professionals working in Ohio Regional Resource Centers and in colleges and universities. As recommendations were received, the schools were identified as to the level of students they served, their location in Ohio, their physical setting (rural, urban, etc.), and the types of handicapped students they served. Eventually, eight sites were selected. A list of questions was drawn up as a guide for interviewing school personnel, and the visits were begun. At each school, team members talked with administrators, special education teachers, regular education teachers, and usually with students. The results of these interviews were then compiled and analyzed.

Whys and Wherefores

Each of the schools selected had developed its own unique program for integrating handicapped students into regular classes. Programs varied widely with regard to such factors as the types of handicaps of the integrated students, the length of time and the types of classes integrated students attended, communications systems, physical arrangements of classrooms and adaptations designed to meet students' needs, preparation of regular classroom teachers, the role of the special education teacher, and so forth. However, while no two schools functioned in exactly the same manner, there were some very obvious commonalities among them. Good communication, for example, was overwhelmingly mentioned by administrators, regular educators, and special education personnel alike as the single most vital factor in the success of their programs. Where there was open, honest, frequent, and (usually) informal communication, implementation of the LRE concept was much smoother and more effective, and the attitudes of teachers and administrators were accepting and supportive.

A second shared attribute of the settings visited was the mention by the teachers of strong administrative support for what they termed "mainstreaming." Several teachers and administrators mentioned a change in administrative personnel, with the new administrators being more in favor of helping each student realize his full potential, as being a turning or beginning point in implementing their mainstreaming program.

A third advantage frequently cited was the passage of time. All of these programs had been in effect previous to the enactment of PL 94-142, and the personnel involved had time to work through their initial problems and concerns. As a result, teachers and administrators both seemed to have very matter-of-fact at-

titudes toward mainstreaming. Time had also affected the reputations of the schools, so that new faculty could identify these schools as ones that had implemented the LRE concept on a regular and ongoing basis. Therefore, any new teachers would expect to have handicapped learners in their classrooms.

A fourth element in facilitating such programs was flexibility in scheduling. At each site, teachers reported that even after some years of experience, scheduling remained one of the most frustrating and time-consuming components of mainstreaming. These teachers strongly felt that sharing students was much easier whenever schedules could be informally worked around and adjusted as needed throughout the year.

Finally, the positive attitudes of the personnel involved permeated all of the other factors. The administrators and faculty of each school seemed very open to the needs of all students, willing to make adaptations whenever necessary, and extremely willing to cooperate with each other. Several teachers felt that without the strong support and interest of their administrators their programs would have failed or been only partially successful; on the other hand, most of the administrators seemed to make a point of stressing the importance of their teachers' willingness to make mainstreaming work and to work together as being one of the most crucial elements in making their programs effective for students.

Specifics

In addition to the more general elements mentioned above, several programs shared or stressed factors which were not always common to all of those visited. In some instances, some of the factors listed below seemed vital to the success of the programs with which they were associated.

Placement Criteria

The criteria used to determine the placement of handicapped learners into the regular classroom setting varied widely but those criteria which seemed to be most prevalent included the following ones:

- The student was capable of doing work at his grade level to some extent.
- The student was capable of doing work in the regular classroom without much assistance, special materials, or adaptive equipment having to be provided by the regular classroom teacher.
- The student was capable of staying on task in the regular classroom without as much teacher feedback and attention as was available to him/her in the special education setting.
- The student could fit into the routine of the regular classroom.
- The student was capable of functioning socially in the regular classroom, and could profit from the modeling of appropriate behaviors by his/her peers.
- The physical setting of the classroom did not interfere with the student's functioning or could be adapted to his/her needs.
- Scheduling could be worked out between the various classes in which the student was to participate. Schedules could often be altered informally to fit temporary needs or problems, and then readjusted once the need or problem had been met.

Other criteria which were mentioned included the attitude of the regular classroom teacher toward having the handicapped learner in his/her classroom, and the availability of support from the special education teacher. Two teachers also felt that the attitudes of other students in the regular class were impor-

tant and had worked with those students before having a student with obvious difficulties join their classes. One school district also strongly advocated that parents of any student in any special education become involved in an educational parent group designed to help them understand their children's problems and the special programs designed to meet these students' needs.

Established Programs

When handicapped students had been integrated into regular classrooms over a period of years, placements seemed to be successful. In such situations, the integration of handicapped students was not something which seemed new or strange to the teacher or to the other students.

Ongoing Informal Training

In all but one of the schools, there had been no school-wide inservice program dealing specifically with the law or with mainstreaming or the LRE concept. The special educator in each building seemed to have the most influence in helping the regular educators to understand and adapt for the integrated students, and this seemed to be done on a day-by-day basis for the most part. Again, the administrators were very knowledgeable about the law and the LRE concept and were very supportive of all teachers working in their programs.

Continued Improvement of Programs

Generally, both administrators and teachers felt that more could be done in the areas of building awareness of the needs of the handicapped, communication techniques, and encouraging positive and helpful attitudes toward mainstreaming and handicapped persons. Therefore, even though the programs had been in existence from five to eight years, no one seemed to think that the job was complete. Many people had some definite ideas about areas which still needed to be improved. There was no doubt that the development of these programs continued to be dynamic, ongoing, and that in most instances people felt comfortable in contributing suggestions and ideas to facilitate that development.

The administrators and faculty of each school seemed very open to the needs of all students, willing to make adaptations whenever necessary, and extremely willing to cooperate with each other.

Ongoing Communication

Informal communication seemed to be the cornerstone for most of these successful programs. Chats in the lunchroom, hall, or after school in classrooms seemed to be frequent and most productive. Most special educators took the primary responsibility for seeing that such communication occurred, and most of them wished for more time to be available for planning and working with regular classroom teachers (although generally this seemed impractical to them because of scheduling problems). In all cases, special educators were fully participating members of the schools' staff. In one case, the special education teachers shared planning periods with others who taught at the same grade level, served on every committee and team with those others, and were frequently in other teachers' classrooms for various reasons. The visibility of the special educator and his/her acceptance as "just another teacher" was also mentioned as an important factor in the acceptance of special education students.

Visibility of Programs and Teachers

Both teachers and administrators reported that other students and adults tended to be more positive toward handicapped students when the special education classrooms were fairly close to the center of the school or in the normal traffic pattern where others could see that what went on there was not very different from the activities in their own classes. Special education teachers also frequently commented that they tried to become familiar to others by offering to help on field trips, coaching, sponsoring extracurricular activities, etc. This also seemed beneficial in helping other persons to see the special educator as a "regular person," which in turn promoted more positive attitudes toward those students in those teachers' special classes.

Teacher Roles

Usually, regular classroom teachers felt that they should not have to change their manner of classroom instruction too greatly; they felt that if a handicapped student was placed in their classroom, that student should be able to handle the work given him/her. Teachers were willing

While there was no school in which every person interviewed was perfectly happy with the implementation of the LRE concept, in each school there were strong indications that "mainstreaming" was an accepted, ongoing and practical process.

to accept smaller quantities of work if the quality was acceptable, and they would use those materials and suggestions provided by the special educator. Special education teachers did share teaching strategies as well as special materials with regular educators, but generally this was only done at the request of the regular classroom teacher. Special educators sometimes provided further support to the mainstreamed students and their teachers by helping these students with regular classroom work when the student was in the special education setting.

Methods of Obtaining Information

Most regular classroom teachers were not a part of the placement meeting or procedures. Many of them expressed a desire to become part of this process so that they would be more aware of what was expected of them and needs of students coming into their classrooms. These same teachers did indicate, however, that they felt comfortable in consulting with administrators or with the special education teachers when and if they had specific questions related to their mainstreamed students.

Conclusions

While there was no school in which every person interviewed was perfectly happy with the implementation of the LRE concept, in each school there were strong indications that "mainstreaming" was an accepted, ongoing, and practical process. The only area in which a need was frequently mentioned was some teachers' desire for further training and support services; however, this was not identified as a problem by the majority of the teachers interviewed, and most administrators felt that these services had been adequately provided. Both teachers and administrators felt that the primary emphasis in developing successful programs were (1) awareness of the needs of the handi-

capped, (2) good communication techniques, (3) development of confidence on the part of the regular classroom teachers as they work with other specialists in integrating handicapped students into their classrooms, and (4) the encouragement of positive attitudes toward "mainstreaming" and handicapped persons among teachers, students and parents. Finally, since all of the programs visited were older than those created by PL 94-142, it seems that time itself may be another very influential factor building a successful program.

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A Matter of Motivation or Don't Ever Say "It Can't be Done"

Sam Jones always walked from his late shift job to his home on the outskirts of town. This route included a short cut via a path through the local cemetery. One very dark night he followed the path and suddenly found himself in the bottom of an open, freshly dug grave. He stood up, shook off some dirt, crouched and leaped. He couldn't make it. He crouched, leaped again and did not make it. He then sat back in a corner to await help that would probably be there at dawn. He dozed and was awakened by steps coming down the path. Before he could yell a warning, man #2 fell into the grave. He got up, shook off dirt and leaped to try and grab the ground at the top of the grave. He didn't make it. As he crouched to try again, the first occupant exclaimed from the corner, "It's no use—You can't make it." But he did!

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Appendix SE-E

"It's Happening: Vocational Educators Teach the Handicapped!"

IT'S HAPPENING: VOCATIONAL EDUCATORS TEACH THE HANDICAPPED!

Sandra K. Boland

Greetings! I'd like you to meet my friend Mark. He's 26 years old and looking for a girl friend, vocational training, and a job — in that order. Mark graduated from a special education work experience study class 8 years ago. He was trained as a janitor and since has worked in a variety of settings. He has lived both at home and in a residential center in another community.

Mark is unique. He has been diagnosed as mildly retarded with some emotional problems. But Mark would not fit into the "normal" description of a mildly retarded person. First of all, his mind stores and retrieves information like a computer. One time Mark asked me my birthdate and then told me what day of the week I had been born on and was right. On a separate occasion, he confirmed that I had gotten my driver's license at 16 and told me what year I got it.

He can remember events from the time he was 2 years old. He recalls a time when his twin brother got a spanking in a grocery store for misbehaving. To his mother's embarrassment, Mark remembers the name of the store, the date, the day of the week, the time and why Scott got the spanking.

However, Mark has excessive energy which he has to release. He may suddenly stand up and rock, run, walk, or get on his bicycle. This quick release of energy makes him appear more different than he really is.

Because Mark lives much more of the time in the mainstream of society than in a residential setting he has been frustrated by many of his experiences. He roomed with, worked with, and socialized with young people who were much below his own ability level. Mark lashed out against his entrapment, and now is much happier at home where he has been for 9 months.

Mark's needs of a girl friend, a skill, and a job would not be major problems for most 26 year old men as they are for



Mark Brown needs a girl friend and a job.

Mark. For Mark and others like him who graduated before mainstreaming was common practice, the normal events in a young person's life become hurdles which require massive amounts of effort to overcome.

Mark is motivated to learn a skill and be employed. He has more than a lay person's knowledge of inhalation and radiation therapy, but he is currently struggling with admission to a local community college. The pathway leading to a solution of Mark's problem has many obstacles, but his chances to overcome them are better because he has family and friends who are supporting his efforts to get the training he needs. They will not give up, nor will Mark.

But what about the school age Marks of 1979? The situation has been altered significantly by the passage of

P.L. 94-142 and Section 504 of the 1973 Rehabilitation Act. Today Mark would have a better chance to be mainstreamed into a vocational program which would more closely match his interests and abilities than the janitorial program he had in high school. Vocational educators are now learning how to work with Mark and other students with learning problems in their classrooms, but a successful program depends not only on the vocational educator working with that student, but on the special educator offering down-to-earth suggestions on how to work with that student. This article will address the roles and expectations of both groups — special educator and vocational educator — and how they can work together as well as reporting some specific ideas vocational educators are using in their work with handicapped students.

The Role of the Vocational Educator

Simply stated, vocational education's purpose is to prepare people for employment. The individual enrolled in a vocational education program may finish that program in high school or may require a few weeks to two years of postsecondary training, but not a four year college degree. However, the purpose remains the same — preparing people to work.

A second factor unique to vocational education is that in some states many of the instructors do not have college degrees. They may have been recruited out of industry into teaching because they had extensive experience and were skilled in their crafts. These skilled mechanics or welders, e.g., may have responded because they were interested in trying something different, and teaching, despite its lesser pay, had some attractive features. Then because of the pay and credentialing systems, this skilled individual probably took a few classes at a near-by university or in a continuing education program to meet the requirements to become a teacher.

There are vocational education teachers who have completed a college degree program, but have had to work

outside of education to qualify to become vocational educators. For example, a Colorado vocational teacher without a degree may have been required to verify 10,000 work hours (about five years) while a degreed vocational educator may have been required to verify 2,000 to 4,000 hours (one to two years) in industry.

Now that you have some background, let's look at a couple of examples. Sam is a 34 year old welding instructor who worked in industry for 14 years. He teaches students how to weld in a large vocational program in Denver. Now enter the special education student who has learning disabilities. Sam tells his students to read assignments related to metal identification and demonstrates how to run a stringer bead. He then moves on to the next step. But the student with learning problems can't read the assignments and can't begin to make a stringer bead after one explanation. Sam probably demonstrates how to run a stringer bead again. The student may not understand the second time. The student is lost. Sam doesn't know what he did wrong because the other students in class got it, and the special educator (there isn't one in this setting) might think Sam was unsympathetic and didn't want a learning disabled student in class.

Although the situation may seem exaggerated, it's not. There are literally hundreds of examples like this repeated in classrooms across the country.

Another example is Doug who is an auto mechanics instructor in a vocational high school. He has a program with 4 learning disabled students enrolled, one with some rather severe problems. Doug has turned to Connie, the supplemental services coordinator, for assistance. Unfortunately there are some funding complications and a lack of tutors who know about auto mechanics. Doug is trying to teach a class of 15 to 20 students about auto mechanics including those 4 students who have special educational needs.

Doug is real, and he cares. For a while he worried so much about how to reach those 4 students that he had trouble sleeping. But he and Connie are working together to solve the problem.

He's a vocational educator and he really wants to learn how to teach his special needs students. He has found when he focuses on these 4 boys, he neglects the rest of the class. And when he teaches the entire group, he neglects the needs of the 4 boys. Doug is torn — he doesn't know who should get his teaching time.

There are other examples, and I'm sure you can cite them. But the issue becomes one of how can we best help handicapped students and the teachers working with them.

The Special Educators

Now let's look at special educators. They were probably trained as special class teachers and may have even had some teaching experience in a regular education program. Most likely the special education training heavily emphasized teaching the basic skills in reading, math, spelling, and writing. If you are a special educator over 30 years old, you were probably trained to work with all students K-12 with little or no emphasis on vocational training unless you took a few rehabilitation counseling courses. If you are under 30, you may have had training specializing in secondary programs other than rehabilitation counseling. As a result, most of you understand the basics of teaching the 3 R's but are not likely to understand a

ture program; of the food management supervisor, the child care worker, or the waitress as part of home economics; or as welding as one skill used in many occupations in the trades and industry.

Back to the special education student who comes to the resource room with a book from Welding I. You may feel at a loss since welding is as foreign to you as to your student. It may be difficult for you to help the student because you know nothing about welding, and because you aren't sure what the welding instructor wants to know or what he wants you to help the student with.

The picture is coming into focus. The vocational educator is skilled in craft and knows what the job market demands of entry level workers in the occupational area. The special educator is skilled in working with handicapped students especially in regard to acquiring basic skills and an improved self concept. The two complement one another perfectly, if they will only talk and particularly listen.

Most vocational educators I've worked with want specific techniques which they can use in their classroom. They want to know something about the student and how to work with him. For many, handicapped students represent an unknown quantity which represents extra work, but who they'll accept if they

While many voc-ed teachers are concerned with the handicapped students, they are equally as concerned with making the program fair for their nonhandicapped students.

variety of occupations or even what vocational education encompasses. When you hear about agriculture, you think of farmers; of home economics, you think of homemakers; and of welding, you think of safety glasses. Beyond that, a special educator may be dealing with limited information about not only the concept, but the mechanics of vocational education.

It may be hard to think in terms of the greenhouse worker, the horseman, the landscaper or the farm cooperative worker as part of the vocational agricul-

ture program; of the food management supervisor, the child care worker, or the waitress as part of home economics; or as welding as one skill used in many occupations in the trades and industry.

Although this does not reflect a comprehensive collection, a few of the ideas that came out of two groups I was recently teaching are in the following list.

1. Design a safe approach to any from a piece of machinery for a blind machine operator.

The grading proposals indicate that voc-ed teachers do care about handicapped students and want to determine a valid assessment of their performance in a vocational training program.

2. Unplug a machine and go over it completely while not in operation to familiarize a blind person with a machine.
3. Lower tables or make work areas wheelchair height for graphic artists or welders.
4. Use a special light attachment for a typewriter to indicate margins for a typist with a hearing loss.
5. Break all teaching down in small sequential steps to help students with learning disabilities and mental handicaps.
6. Use available electronic levels, tactilely marked micrometers, and other special devices to open doors to some jobs for workers with visual impairment.
7. Seek the physically handicapped student's advice on how he or she wants to handle a fall or a need for assistance in class. Some want help; others want to be left alone.
8. Allow students to listen and orally record reports, tests, and other assignments (not only blind but learning disabled and mentally handicapped students can demonstrate learning).
9. Use auditory, visual, and tactile information when possible to demonstrate how to perform a skill.
10. Maintain an open and genuinely interested attitude toward handicapped students and their parents, and maintain a sense of humor about the teaching/learning process.

The Grading System

In those same groups were some great ideas which vocational teachers presented on grading handicapped students. While many voc-ed teachers are concerned with the handicapped students, they are equally as concerned with making the program fair for their nonhandicapped students. The administrator's reaction to any change in grading also needs to be considered.

One proposal was to award credit on a sliding scale (Zajac & Woolverton, Note 3). For example, if meeting 100 objectives was required for 15 credits for the course, then a handicapped student who successfully completed 40 of the objectives would earn 40% of the credit

or 6 credits. The entire program for each vocational area would be placed on a sliding scale of credit earned. This would allow vocational students with special needs the flexibility of time to complete the course, and also eliminate repeated failures before eventually passing a course. This proposal was later altered to allow for increments of 25%, 50%, 75% and 100% of credit.

Another proposal designed specifically for typing classes incorporated the concept of self improvement as a basis of grading (Hinton, Barnes, Otey, & Rullo, Note 1). Using this method, students take a timed trial of two to five minutes to establish a base typing speed. An error limit is established by the teacher. This base typing speed is assigned the grade D. Then the teacher and student cooperatively set a goal of typing two to four words per minute faster. After reaching this new speed goal at least twice in a timed test, a C is earned. A similar procedure is followed to earn a B and an A. With each new grading period, a new speed goal is set. The program has been very successful and motivating to handicapped and nonhandicapped students in a Denver area high school.

A third proposal presented in the area of home economics (Qualiteri, Compoz, Ellis, & Jackson, Note 2) combined grading with a weighting system. The percentage of the total grade might vary from one grading period to the next. The chart shown outlines the approach.

Criterion for Six or Nine Weeks Grades	Grade	% of Total Grade
1. Hands in all assignments.		
2. Completes assignments with accuracy.		
3. Shows proficiency of knowledge on tests.		
4. Completes all tests.		
5. Works to his/her best ability in class.		
6. Works well with other students in class.		
7. Is courteous to teacher and others.		
8. Good attendance in this class.		
Six or Nine Weeks' Grade:		

This method allows for varying emphasis during the grading period. Individuals could be judged on their accomplishments in each aspect of home economics.

Other class members also devel-

oped a variety of checklists, task charts, and complex grading systems taking into account workmanship and speed on job tasks, job knowledge, and attitudes. The grading proposals indicate that voc-ed teachers do care about handicapped students and want to determine a valid assessment of their performance in a vocational training program.

I have found vocational educators generally interested and positive in attitude despite a number of legitimate concerns about safety, teaching effectively, and maintaining the standards expected by the prospective employers. However, I've also found that special educators do not want handicapped students to be in unsafe situations, taught ineffectively, or ill equipped to meet employer standards on the job. This is not always perceived to be the case by vocational educators.

The interest and goals are the same, but special education and vocational education teachers and administrators need to articulate their needs, methods, and goals to effectively change the system to help the post 94-142 Marks who are looking for girl friends, vocational training, and jobs.

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